

Agenda Item	10.c
Report No	NC/10/22

THE HIGHLAND COUNCIL

Committee: Nairnshire Area Committee

Date: 1 March 2022

Report Title: Nairn Common Good Fund: Consultation on potential future development of Sandown Lands – consultation outcome

Report By: Acting Depute Chief Executive and Executive Chief Officer – Performance and Governance
Executive Chief Officer – Communities and Place

1. Purpose/Executive Summary

- 1.1 This report provides information on the outcome of the public consultation under section 104 Community Empowerment (Scotland) Act 2015 which proposed to dispose of Sandown Land, Nairn by sale for development.
- 1.2 The full consultation has been conducted in two phases, the original period running from November 2020 until February 2021 and an additional period involving the assistance of a short life Reference Group which ran from 15 December 2021 until 31 January 2022.
- 1.3 This report provides a summary of the additional period of consultation, but it should be noted that the analysis contained within this report takes into account all the feedback received during both consultation phases and the recommendations are based on this aggregated feedback.
- 1.4 The representations received from the first phase of the consultation clearly demonstrate the strong community concern in Nairn relating to Sandown and its future use. The second phase of consultation has provided a clearer understanding of community views regarding potential land use options. This has assisted in informing options on how to progress.
- 1.5 The options for Members to consider are detailed in the report, along with the benefits and challenges associated with each. The recommendation is not to proceed with disposal of Sandown at this time, and instead proceed with a number of proposed next steps which are based upon the feedback received during the consultation phases.

2. Recommendations

2.1 Members are asked to:

- i. Note the key outcomes from the work of the short life Reference Group at paragraph 4.4 below.
- ii. Note the representations received in respect of the second phase of the consultation as contained at **Appendix 1**.
- iii. Agree the responses to the representations received within the additional period of consultation also outlined at **Appendix 1**.
- iv. Approve the publication of **Appendix 1** on the Council's website and to notify those who have responded within the full consultation period, where contact details have been provided.
- v. Note the analysis and key themes outlined in Section 5.2 which is based upon the feedback from the two consultation periods.
- vi. In terms of the future use or development for the Sandown Lands, Members are also asked to note the options contained within the report and agree the officer recommendation as follows:
 - Agree not to proceed with disposal of Sandown lands at this time and to agree the following next steps:
 - a. That options to establish further community growing opportunities on the Sandown Lands field (hatched in pink on the site plan contained in **Appendix 2**) are explored through a feasibility study, which will include further engagement with the community. The scope for commissioning this feasibility study will be brought before a future meeting of this committee.

And

- b. That further work to consider uses for the remainder of the Sandown Lands will be led by the Nairn and Nairnshire Community Partnership, and relevant sub-groups, in an Area Place Planning process. Any future proposal will be subject to a further Community Empowerment Act Consultation and reports to meetings of this Committee.

3. Implications

- ### 3.1 Resource – Resource implications are dependent upon the decisions taken in respect of this report. Should the officer recommendation be agreed, there are resource implications related to officer time to develop the specification for a feasibility study to consider community growing options and resource implications for the Common Good to commission this work. This would be the subject of a future report to this committee.

Should a decision be taken to progress with the original proposal to seek permission to dispose of the Sandown Lands at the appropriate time, there would be resource implications as a result of this decision. Sandown is a significant asset of Nairn Common Good Fund, and the Council is obliged to obtain best value for any disposals of Common

Good land and to seek relevant permissions prior to doing so. Any sale would remove this asset permanently from the Nairn Common Good asset portfolio; however any sale would release funds which could be applied for investment purposes either in respect of existing Common Good assets or to provide an income for use on an ongoing basis. There would be direct resource implications to the Common Good to meet the costs of seeking Court approval to dispose of the lands.

- 3.2 Legal – Under the terms of the Community Empowerment Act, a public consultation must be undertaken to seek the views of the community prior to any decision being taken on disposal of an asset by sale or lease. This report summarises the outcome of the statutory public consultation which has taken place over two phases. Where land is also considered to be inalienable, there is a statutory requirement to seek Court approval to the disposal. The outcome of the consultation process has raised questions regarding the Council's entitlement to dispose of (alienate) Sandown Lands and therefore, should a decision be taken to dispose of the Sandown Lands, the requirement to seek Sheriff Court approval must also be complied with.
- 3.3 Community (Equality, Poverty, Rural and Island) – 98 responses were received to the original public consultation period. A further 301 responses were received during the additional consultation period which targeted under-represented groups through the use of an online survey in order to make it easier for the public to reply in addition to the receipt of responses by direct email/post.

The consultation is designed to better understand how we might proceed and identify a more varied use of the land for consideration in line with the existing Sandown Development Brief.

- 3.4 Climate Change / Carbon Clever – The proposal for a feasibility study on establishing further community growing opportunities would be focused on sustainable farming models and allow provision for significant green space. This proposal is in line with the Sandown Development Brief which includes provision for green space and the retention of wetlands.
- 3.5 Risk – There is a risk of volatility in the market. Although not the recommended option, a decision to seek approval for disposal in principle from the Courts, would enable the Council to react quickly to changing market conditions. This would ensure best value for Nairn Common Good Fund and was one of the original reasons to consult on the disposal of Sandown Lands. It should be noted that if any future decision was taken to sell, then Court approval would be required before the Council could react to any future market opportunity.
- 3.6 Gaelic – none.

4. Consultation in respect of Sandown Lands

- 4.1 Under the terms of the Community Empowerment (Scotland) Act 2015, a Local Authority must undertake a consultation if it wishes to consider disposing – by lease or sale – of Common Good land or property. In November 2020, a public consultation was launched to consider the views of the Nairn and Nairnshire community on the potential disposal of Sandown lands to the east of the town of Nairn. There were no offers from developers or formal plans to sell Sandown at that point, nor are there currently any such proposals. However, there was a wish to understand the views of the community

so that, should a decision be taken to sell, the Council would be in a position to progress that opportunity and obtain the best possible value for the Common Good Fund. The Council is required to ensure Best Value as part of its management of Common Good Funds.

- 4.2 A first phase of public consultation on the proposal to sell Sandown Lands for development concluded on 26 February 2021 with 98 responses being received. The analysis document was lengthy and detailed and was brought before Nairnshire Committee on 23 June [2021](#). Members approved the recommendation to allow a period for full reflection of the contents of the analysis with the matter being carried forward to the next Committee meeting on 15 September 2021. A [report](#) was considered at the September meeting which set out the work undertaken to further review the analysis. This highlighted a number of concerns including: the numbers who responded to the original consultation as a proportion of the Nairnshire population; key groups within the community who did not respond; misunderstandings of the proposals and potential use of the land; and a lack of feedback from respondents on what they would wish to see Sandown Lands to be used for.
- 4.3 The Committee agreed that a second phase of consultation would be undertaken. The aims for the second phase consultation were:
- To widen the response received from the community.
 - Target key groups within the community who were underrepresented during the first phase consultation.
 - To provide further clarity over the contents of the Sandown Development Brief as a number of the suggestions for the use of the land were related to elements included within the existing brief.
 - To better understand what the community may wish to see the Sandown Lands used for.
- 4.4 In line with the decision taken at Committee on 15 September 2021, a Sandown Lands Reference Group was established to support the second period of consultation, providing advice and support on methods and avenues to widen engagement and gather views. The Group met twice in advance of the consultation going live and once during the consultation to review progress. It is important to note that the Reference Group's role was to advise on the second phase consultation and has not been involved in the analysis or the development of recommendations which has been undertaken by Council Officers.

Membership of the Reference Group comprised:

- Nairn West & Suburban Community Council
 - Nairn River Community Council
 - Highland Third Sector Interface
 - Nairn Community Centre
 - Nairn BID
 - Nairnshire Community Planning Partnership
 - Highland Council
- 4.5 The key outcomes from the work of the Reference Group were:
- The development of an online survey as the primary mechanism to engage and to gather views during the second phase of consultation.

- Engagement with young people via Nairnshire schools to raise awareness of the consultation with young people and families.
- Targeted engagement with social rented tenants in Nairnshire as well as housing applicants who have a need or demand for housing in Nairnshire.
- Carry out targeted face to face engagement, COVID restrictions permitting, in high footfall areas in Nairn to raise awareness of the consultation using display material specifically developed for this.

4.6 A copy of the online survey developed by the Reference Group is attached to this report at **Appendix 2**.

4.7 The second phase of the Sandown Lands Consultation was carried out in accordance with the outcomes from the Reference Group above using the online survey platform MS Forms. The survey opened on 15 December 2021 and closed on 31 January 2022. During this period 281 respondents provided a response to the consultation. In addition a further 20 responses were emailed or posted direct to the Common Good Fund Officer and have been included in the second phase consultation analysis.

4.8 The summary of the representations received during phase 2 along with the proposed responses are attached at **Appendix 1**.

5 Consultation Phase 2 Summary of Responses

5.1 Whilst the primary intention was that the second consultation period would capture views from members of the community who had not previously participated, it was also open to anyone who had previously responded to submit further comments. All comments received during the initial consultation period remained valid and were equally as important as those submitted during the second consultation period. The analysis set out at section 6 takes into account the comments from both periods of consultation.

5.2 The initial consultation question in the second consultation period asked respondents

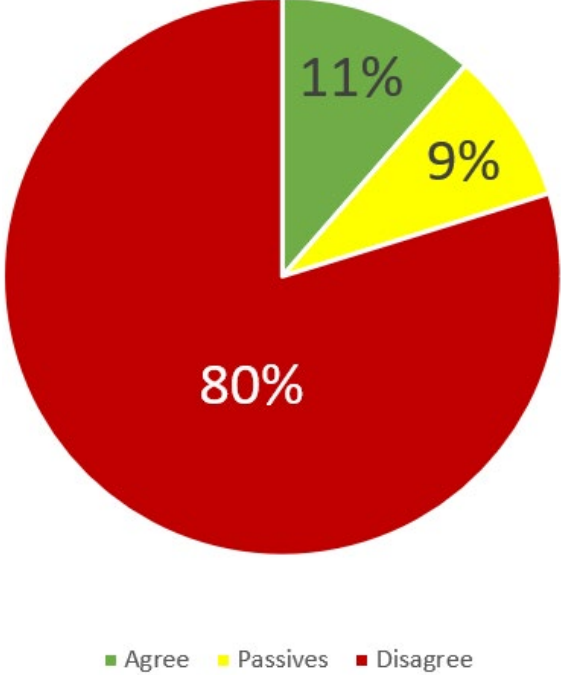
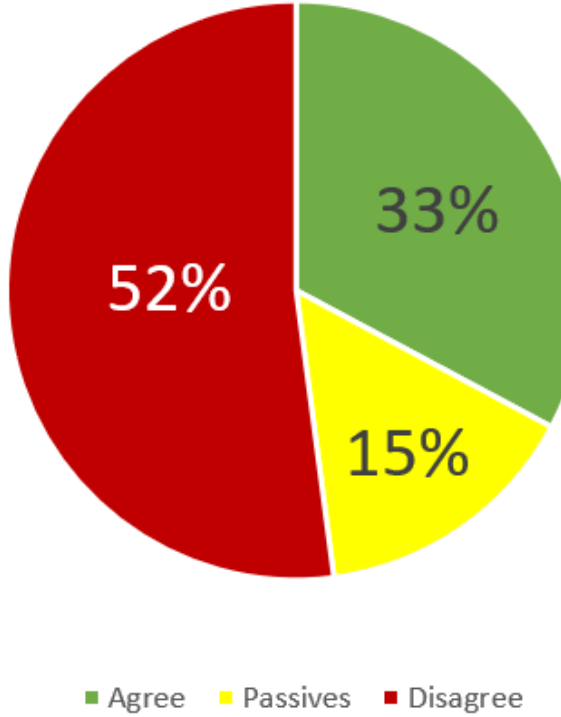
Did you respond to the original consultation period?

58 answered yes and 243 answered no to that question.

The 4 questions in the online consultation which followed asked respondents to rank how they felt about certain aspects of the Sandown Development Brief. These questions asked respondents to indicate how satisfied they were by scoring these numerically.

5.3 Those 4 numerical questions are set out below in Table 1 along with the satisfaction figures, in percentage form, relating to each one.

Table 1.

1	How important is the housing element of the development brief	 <p>A pie chart with three segments: a large red segment (80%), a green segment (11%), and a yellow segment (9%). A legend below the chart identifies the colors: green for 'Agree', yellow for 'Passives', and red for 'Disagree'.</p> <table border="1"><thead><tr><th>Response</th><th>Percentage</th></tr></thead><tbody><tr><td>Agree</td><td>11%</td></tr><tr><td>Passives</td><td>9%</td></tr><tr><td>Disagree</td><td>80%</td></tr></tbody></table>	Response	Percentage	Agree	11%	Passives	9%	Disagree	80%
Response	Percentage									
Agree	11%									
Passives	9%									
Disagree	80%									
2	How important is the community facilities spaces – including shops, wetlands centre, children’s play space, meeting space	 <p>A pie chart with three segments: a red segment (52%), a green segment (33%), and a yellow segment (15%). A legend below the chart identifies the colors: green for 'Agree', yellow for 'Passives', and red for 'Disagree'.</p> <table border="1"><thead><tr><th>Response</th><th>Percentage</th></tr></thead><tbody><tr><td>Agree</td><td>33%</td></tr><tr><td>Passives</td><td>15%</td></tr><tr><td>Disagree</td><td>52%</td></tr></tbody></table>	Response	Percentage	Agree	33%	Passives	15%	Disagree	52%
Response	Percentage									
Agree	33%									
Passives	15%									
Disagree	52%									

3	How important is the green space element – including wetlands, public open space and extended allotment provision	<p>A pie chart with three segments: a large green segment representing 'Agree' at 63%, a red segment representing 'Disagree' at 23%, and a yellow segment representing 'Passives' at 14%. A legend below the chart identifies the colors: green for Agree, yellow for Passives, and red for Disagree.</p> <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Agree</td> <td>63%</td> </tr> <tr> <td>Disagree</td> <td>23%</td> </tr> <tr> <td>Passives</td> <td>14%</td> </tr> </tbody> </table>	Response	Percentage	Agree	63%	Disagree	23%	Passives	14%
Response	Percentage									
Agree	63%									
Disagree	23%									
Passives	14%									
4	To what extent do you agree with the balance of housing/wetlands/green space as outlined in the Sandown Development Brief	<p>A pie chart with three segments: a large red segment representing 'Disagree' at 87%, a small green segment representing 'Agree' at 8%, and a small yellow segment representing 'Passives' at 5%. A legend below the chart identifies the colors: green for Agree, yellow for Passives, and red for Disagree.</p> <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Disagree</td> <td>87%</td> </tr> <tr> <td>Agree</td> <td>8%</td> </tr> <tr> <td>Passives</td> <td>5%</td> </tr> </tbody> </table>	Response	Percentage	Disagree	87%	Agree	8%	Passives	5%
Response	Percentage									
Disagree	87%									
Agree	8%									
Passives	5%									

5.4 The free text representations received during the initial consultation period and their associated responses can be found at this [Link](#). The representations received and the proposed responses in respect of the additional consultation period of the consultation can be found at **Appendix 1**. These representations have been analysed along with the feedback from phase 1 and the key themes summarised below.

6. Sandown Land Consultation – summary analysis

- 6.1 The following presents a combined analysis of consultation representations received to the questions in the surveys used in both the initial and additional consultation periods. The full analysis can be found at **Appendix 3**.
- 6.2 The representations received have been grouped into 5 themes below:
1. Housing Provision
 2. Infrastructure
 3. Nairn Common Good
 4. Green Space
 5. General reluctance to sell / dispose of Sandown
- 6.3 The representations received across those 5 themes can be summarised as:
- 6.4 Housing Provision – The representations received contained a strong voice against the current balance of land use contained within the Sandown Development Brief. Suggestions contained in the representations for future affordable/social housing provision indicated that using empty houses and flats in Nairn town centre or on land which becomes available following the completion of the A96 bypass could provide alternative housing development locations to Sandown.
- 6.5 There were also representations which encouraged affordable self-build plots with eco credentials as part of the Development Brief reinforcing a reoccurring green theme to the representations received. There was also strong feeling that the Development Brief needed to be refreshed to take account of revised housing need and demand following recent new build completions in Nairnshire since the Development Brief was completed.
- 6.6 The consultation also demonstrated strong feeling that that any development of housing on Sandown should not be carried out until the A96 bypass is in place.
- 6.7 Infrastructure – As outlined above the representations received contained a significant number of voices urging the completion of the infrastructure around an A96 bypass before the consideration of any development on the Sandown Lands fearing that a failure to do so would compound existing traffic flow problems through Sandown to Nairn on the A96.
- 6.8 There was also strong support in the representations received for the development of renewable or green energy projects on the Sandown Lands and asked that the potential for community renewable schemes on Sandown be explored as part of any future land use considered. Models of energy project suggested included ground source heat pumps and an electricity generating solar farm.
- 6.9 Nairn Common Good – There was strong support in the representations received that any future use for or disposal of Sandown Lands must have a focus on the development of the Nairn Common Good Fund (NCGF). There was a strong voice for

any capital receipts or revenue generated from future land sale or use to be focused on the development of an income stream for the Nairn Common Good Fund that could be used to support community activities or provide support for charitable organisations working in Nairn

- 6.10 Green Space – The representations received contained a great deal of comment showing support for developed community use of the green space at the Sandown Lands with a range of potential options for this provided by the respondents. This was very much a key feature of the second phase consultation. Some respondents took this theme further still suggesting that ‘Community Supported Agriculture’ or community food growing on the Sandown Lands would develop resilience in the food system and could facilitate wider community-based projects.
- 6.11 There were a large number of suggestions in the representations received for varying community green space uses at Sandown including country paths, walks, tree planting projects with added value of creating a carbon sink. There were also a number of respondents that believed that this type of use would enhance the already attractive west entrance to Nairn.
- 6.12 General reluctance to sell / dispose of Sandown
There were strong views expressed within the representations received that the Development Brief is no longer representative of the need in Nairn and suggesting that a lot has changed since the Charrette in 2012 on which the Brief was based, such as the planned bypass, housing development at Nairn East and the pandemic which reinforced the importance of green space for health and mental well-being.
- 6.13 On that basis there was encouragement in the representations received for a wider range of options to be debated before any plans or recommendations are finalised and there were also views that engagement with groups across the community would be important to ensure a wide range of views and input was achieved. There were also some views in the representations received that the building of the A96 bypass was likely to raise land values in Nairn and that any land sales should not take place before the A96 bypass is in place or finalised to avoid selling the Sandown Lands in an uncertain market.

7. Next Steps

- 7.1 Based upon the representations received and the analysis undertaken, it is recommended that Members agree not to proceed with the disposal of Sandown Lands but undertake further work related to food growing and to develop potential future proposals once the Nairn By-pass and associated infrastructure is in place.
- 7.2 This proposal recognises the strength of feeling from the community at the current time and builds upon two key elements in the responses: the strength of support for green space/growing opportunities; and also that now is not the right time to consider proceeding with disposal when other developments are underway.

- 7.3 It is also recommended that Members agree to the undertaking of a feasibility study which explores the potential for expanding the green space/community food growing opportunities at Sandown. A feasibility study would consider community engagement as part of the scoping. It is proposed that an outline of what a feasibility study could contain would come to a future meeting of the Nairnshire Committee for consideration. This would align well with the work of the Places and Spaces Working Group of the Community Partnership and this group would support developing the brief for any feasibility study.
- 7.4 This would build on the feedback received, particularly through the second phase consultation and the strong support outlined for community growing and green space opportunities. It would also reflect wider community priorities reflected through the Community Partnership related to the importance of growing and outdoor spaces.
- 7.5 Although the Sandown Lands already have allotments provision contained on it - of which there was support for and expansion of during the consultation - there is a need for wider community engagement as part of any feasibility study to ensure any proposal for moving forward is routed in the views of the local community.
- 7.6 The second element of this option proposes that further work is undertaken to consider how the Sandown Lands could be used as part of the development of an Area Place Plan for Nairn. It should be noted that even with any proposals being developed with wider community involvement, this at some point in the future would be subject to a further consultation under the Community Empowerment Act.
- 7.7 This option recognises the feedback received that a proposal to dispose for development is not right at this point in time but with wider developments to Nairn, including the Nairn by-pass and associated infrastructure, it would be appropriate to consider proposals which fit with wider community views and need in the future.

Designation: Kate Lackie, Acting Depute Chief Executive and Executive Chief Officer,
Performance and Governance
Allan Gunn, Executive Chief Officer, Communities and Place

Date: 7 July 2022

Author: Lewis Hannah, Ward Manager
Sara Murdoch, Common Good Officer

Background Papers:

Appendix 1 Sandown additional consultation period representations and responses

Appendix 2 Sandown Consultation Questionnaire

Appendix 3 Analysis of all representations made

NAIRN COMMON GOOD

ADDITIONAL PERIOD OF CONSULTATION IN RESPECT OF THE PROPOSAL TO DISPOSE OF SANDOWN LANDS, NAIRN BY SALE FOR DEVELOPMENT.

REPRESENTATIONS AND RESPONSES

The additional period of consultation made use of an online form to gather community views which has allowed for statistics to be produced as well as comments given. However, responses have still been accepted by post and direct email.

As a result this analysis will address the online form responses and the postal/email/direct responses in separate tables.

ONLINE FORM (A-D)

A. Positive comments given in response to question - to what extent do you agree with the balance of housing/wetlands/green space as outlined in the Sandown Development Brief?

- Having facilities like a shop, school or decent play park at the west end of town would be beneficial.
- This is needed for Nairn and has been for years.
- Balance is good. Nairn currently has a lot of green space, but this development will be some distance away which will help with this.
- Area has been approved for housing for over 12 years. Sale of land can help upgrade the awful state of the High Street. Any wastewater can be treated at the Ardesier works which would help alleviate Nairn's treatment works which are already at over capacity.
- In general, the Development Brief is a balanced proposal and probably should be implemented.
- Good balance of open space provision with housing, especially at southern end.
- Something for everyone.
- There is a need for affordable housing but there is an issue with traffic and services to be resolved.
- There is a significant need for investment in Nairn, both in terms of housing, community facilities and green space which needs to accompany this housing, so the folks have things to do on their doorstep. This part of town is underutilised and makes perfect sense for a sympathetic green social housing project.
- Really affordable (social) housing is needed owned either by the Council or a housing association as well as supported accommodation for Nairn's older population to live independently longer.
- It is important that any development is balanced in terms of number of houses, wet and green space maintained to ensure the character of the town of Nairn is preserved, and a stable environment for wildlife is preserved.

- Balanced development between green spaces and community services (shops etc).
- Sandown is undoubtedly a sensitive area both physically and (locally) politically. However, the brief recognises the need to retain public and green spaces whilst providing for much needed housing. There have been too many faltered housing developments in Nairn (i.e. Nairn South, Morganti Site) and the town is in danger of losing viability without a growing population.
- Need more housing.
- Plenty other areas for children to play. Huge beach to exercise on.
- It is a well-proportioned balance.
- Balance is right.
- Appears to offer a good balance of use.

A. QUESTION - TO WHAT EXTENT DO YOU AGREE WITH THE BALANCE OF HOUSING/WETLANDS/GREEN SPACE AS OUTLINED IN THE SANDOWN DEVELOPMENT BRIEF?		
	REPRESENTATIONS	RESPONSES
A 1	There is not enough infrastructure for more housing – sewage system, schools, doctors, traffic management, bypass need sorting first.	The relevant policies and aspects of the Development Plan and the Sandown Development Brief identify some of the infrastructure requirements for the site – these will be further refined at any pre-application and application stages and would include all of the infrastructure types listed in this representation.
A 2	This is Common Good land that belongs to Nairn/community not Highland Council. It is not the Council's land to sell.	Common Good land is owned by Highland Council but administered separately from other local authority property. Vested by s 222 Local Government (Scotland) Act 1973 and then by s15 Local Government etc. (Scotland) Act 1994. Both transfer provisions confirm that in administering common good property the authority must have regard to the interests of the inhabitants of the area. If considering sale of the land, the Council must comply with the consultation requirements of the Community Empowerment (Scotland) Act 2015 and seek Court approval where land is considered to be inalienable.

A 3	Nairn Common Good should be administered by local representatives not Highland Council. Development should not be under the control of the Council.	Administration of the common good is a responsibility under statute of the Highland Council. Section 56 of the Local Government (Scotland) Act 1973 allows the Highland Council to delegate powers to committee, subcommittee or officers of the authority. The Highland Council has a Scheme of Delegation in place which addresses, inter alia, the common good. All decisions in respect of the common good are taken in compliance with the relevant statutes and Scheme of Delegation. All Highland Common Good funds are administered in the same way.
A 4	Selling the land benefits the Council as it is only interested in the money as well as benefitting the developers and eventual purchasers. It should not be sold to pay for Inverness projects.	Sandown is a capital asset. Sale of a capital asset should be used to increase the capital held by the Nairn Common Good fund. It may be appropriate to use such funds to finance the purchase of other capital assets or fund capital projects, but such funds should not be used to fund revenue expenditure. Common Good funds are not used to make up any shortfalls in any other Highland Council budgets/projects. Common Good accounts are subject to scrutiny and auditing as are all other Council funds. What is being sought are views on the principle of sale and not the specific mechanics of any eventual disposal therefore, consideration of the position of developers is premature.
A 5	Highland Council has a statutory obligation to provide housing but not on Common Good land.	There is no suggestion that Common Good is undertaking a Council statutory function. As part of the Council's responsibility to Common Good, it must consider strategic use of assets.
A 6	Leave it alone. Keep it as open space. Increase the allotments. Covid has shown that green space is important/needed. It should be retained for the use of the people of Nairn. Wetlands and associated wildlife are very important to the area and should be protected – housing will destroy this. The area is greatly used by the community. It is a beautiful view which will be lost to anyone entering the town from the west.	These issues have been examined as part of the preparation of the Council's various Development Plans, and the site has been allocated for a number of years and in a number of plans. There will be a requirement for open space provision and walking routes within the development site that could link up with existing green space. The consultation document states that the current allotments

		and an additional area of land for expansion are not included in the proposal.
A 7	Redevelop it as a leisure space with better uses so it can be enjoyed – velodrome, running track, cross country paths, walks, tree planting. Forests and green space create a carbon sink that will help offset traffic pollution.	Community facilities were considered and are referenced in the Sandown Development Brief. They have not been ruled out and could be accommodated within a development proposal for the site.
A 8	Provide community renewable schemes and/or ground source pumps for community areas.	Sandown has been considered in the past, but it never reached the stage of formal analysis. There is no council load anywhere near the site and the grid at Nairn is severely constrained. Theoretically, if it was a suitable area, it could be considered for such use, but the benefits are best if there are buildings close by to take the generation and this is easiest if the buildings are new as there are fewer restrictions.
A 9	Extra housing is not needed due to the Lochloy and Nairn East developments. There is already too much development.	The provision of housing on this site can help to address ongoing housing needs identified in the Council's adopted and emerging Development Plans taking into account the current development sites. This consultation is about the principle of sale and not the specific mechanics of any eventual disposal.
A 10	Lochloy shows how it should not be done – maximum houses crammed in for maximum profit. Regardless of what the initial plans say, developers inevitably distort them resulting in little community space, inadequate green/play space or facilities. Croy is another example – very different to original plan and no outdoor play space.	Planning process and procedures will be used to impose conditions in respect of any development in the event of the proposal going ahead.
A 11	Deciding on the design of a development that has not been agreed to is presumptuous. The Sandown Brief has a long way to go before it is at the stage of agreement.	This consultation is about the principle of sale. The Development Brief and the other aspects of the Development Plan will be taken into account in any planning application. This is when design aspects will be finalised.

		The Sandown Brief reflects the outcome of the Charrette in 2012 and incorporates those areas of consensus achieved and leaves flexible any matters that could not be agreed.
A 12	The site is not a good location for housing – it is too far from the town centre and where job growth is likely.	The relevant policies and aspects of the Development Plan and the Sandown Development Brief identify some of the infrastructure requirements for the site including transport links – these will be further refined at any pre-application and application stages.
A 13	Holding a second consultation after overwhelming opposition to the first consultation is unprofessional. The Council seem intent on holding never ending consultations until they get the answers they want. The consultation is a fix.	This is all part of the same consultation. Analysis of the responses received following the initial consultation indicated there needed to be greater clarity provided about the contents of the Sandown Development Brief. It also indicated that there were some sections of Nairn community who felt disenfranchised and unable to take part. As a result it was agreed that it was in the interests of the fullest possible community consultation that an additional period incorporating more direct targeting would allow for the fullest participation within the community. Such an approach is not an attempt to misdirect the consultation but is seeking to widen community involvement and transparency and is entirely within the remit of Community Empowerment.
A 14	Lack of consultation with the Community Councils and transparency is disgraceful and underhand.	The Community Councils are statutory consultees within the Community Empowerment legislation and the Council is required to notify them direct and invite representations. This was complied with in both the initial and the extended consultation with copy documents being sent. In addition, all Community Councils were briefed by meeting in advance of the initial consultation period commencing. The town Community Councils were also invited to be part of the short term reference group for the additional period but declined. Therefore the Council has more than complied with its statutory duties in this regard.

A 15	We should wait and see – if Ardesier is developed as planned and more jobs generated then the value of Sandown land for housing will increase.	No current proposal to sell but rather completing consultation and court application now will allow for quick action to take advantage of favourable change in market.
A 16	Community needs time to fully decide what it needs and wants before sale with as many options as possible. Let the people of Nairn decide not the Highland Council. There should be a dedicated Nairn Common Good committee.	The consultation is the process by which the community is involved in this matter. Common Good is owned by the Highland Council. In making a decision following the consultation, the Council must have regard to representations received. Nairn is administered in the same manner as all the other Highland funds. The only area with a separate Common Good Fund Sub-Committee is Inverness – the only people who sit on this Sub Committee are elected Members appointed from the City of Inverness Area Committee. The Sub Committee is used to effectively manage the Fund due to its size and the volume of business that comes before the main City of Inverness Area Committee.
A 17	Affordable housing does not meet social housing needs as social housing applicants cannot afford them due to factors such as health, disability, unemployment etc. More pressure should be put on developers to deliver affordable/social housing within developments.	At this stage, the consultation is about the principle of sale. There is a requirement to provide at least 25% affordable housing in any such development and the affordable housing provision and tenure mix will reflect all types of housing demand in Nairn.
A 18	Common Good funds have not been available but not due to a lack of money. The fund was shut years ago by the trustees and the money was invested.	It is the case that a decision was taken by the fund custodians that the fund needed a period of recovery and some funds were invested into a stock and shares portfolio which is allowing the fund to grow.
A 19	The site is more suitable for the new Academy than housing.	A site has already been identified for the new Academy which has been approved.
A 20	Most new houses are being bought by people not part of the community to rent out which means people who grew up in Nairn and want to stay there cannot buy and live there. How do we know affordable homes will be for people from Nairn?	The comment regarding houses being bought by people without a local connection to Nairn is noted. It is an issue not confined to Nairn unfortunately. The last Springfield housing development at Lochloy delivered 29 properties for social rent, 19 of these properties were adapted and all allocated to applicants with a local connection to Nairn.

A 21	There are plenty of houses for sale in Nairn already.	Business leaders at a recent economic strategy meeting identified lack of housing as major constraint on the economic recovery in the Highlands. The housing market is currently overheating due to the lack of new supply. There is no surfeit of new housing in the area and delivery of new housing at Sandown would ensure a long term supply to assist the economic sustainability of the area.
A 22	The Council has intentionally grouped housing with recreational and green space as a way to skew the outcome of the consultation. Over time the green space will be turned into housing plots.	This is not the case. Such designs have formed part of planning for a period of time and there will be a requirement for open, green and communal space within the development site. Planning conditions can be used to prevent this.
A 23	Well managed community assets give residents a sense of belonging – Lochloy/Meadowlea Springfield has none of these and is moribund as a result.	The Sandown Development Brief includes provision for community assets and spaces.
A 24	There is no confidence Nairn will receive benefit or funds from the sale. Highland Council want money to resolve housing problems.	Sandown is a capital asset of Nairn Common Good fund. Sale of a capital asset should be used to increase the capital held by Nairn Common Good fund. It may be appropriate to use such funds to finance the purchase of other capital assets or fund capital projects, but such funds should not be used to fund revenue expenditure. Common Good funds are not used to make up any shortfalls in any other Highland Council budgets. Common Good accounts are subject to scrutiny and auditing as are all other Council funds.
A 25	Account should be taken of the environmental benefits which could be created for instance with a community woodland, playing fields, open spaces and similar amenities.	See responses to A 6 and A 7 above
A 26	Information received that the “wetland” is due to a blocked field drain. This needs to be researched and publicly confirmed. If true, it would change the development possibilities.	The Sandown Development Brief addresses the water and flood risk issues at part 4 “Constraints” and indicates that this is due to a perched high water table and the site contours.
A 27	Develop without selling.	Depending on what type of development is being suggested, funding such a plan may be difficult without realising some of the asset.

A 28	Not sure if wetlands are best environmental/public open space use of this land.	This is an option being considered due to the condition of the land in certain locations.
A 29	Land should not be sold off at this time. There may be an argument to sell some of the land in the future, but the greater part should be kept as green space rather than the volume and density proposed.	No current proposal to sell immediately. The consultation is about the principle to sell to allow for quick action to take advantage of favourable change in market. No decision has been taken as to how the land would be sold or indeed if all the land will be sold. In the event that a decision in principle is made the council will seek expert independent advice as what method of sale will generate the best value to the Nairn Common Good.
A 30	Selling arable land for housing is short sighted when we may be facing food shortages due to climate change and need to produce more at home. If houses are to be built, we need innovative solutions not simply more of the same.	The consultation document states that the current allotments and an additional area of land for expansion are not included in the proposal. Other community uses for food growing or equivalent could be considered.
A 31	If houses and shops are to be built, they should be on field to south of A96 with the field to the north being left as nature reserve, wetlands or farmland.	The areas of land most suitable to support development were identified through the preparation of the development brief however, no decision has been taken as to how the land would be sold or indeed if all the land will be sold.
A 32	The Development Brief is simply that – there is no legal obligation to a developer to uphold the brief once the land is sold.	Planning process and procedures will be used to impose conditions in respect of any development in the event of the proposal going ahead.
A 33	Section 75 conditions need to be applied stringently and policed by the planning authority to ensure all agreed pre-development infrastructure requirements are met.	See response to A 32.
A 34	Building in areas of wetland raises obvious drainage problems and an increased risk of flooding. The large scheme at Househill provides better space and links to the new bypass. This proposal seems weighted towards large scale, crammed housing which smacks of profiteering.	Any drainage issues would need to be incorporated in the design and layout of the scheme, which may include open space or SUDS as a means of managing any drainage issues identified. There will be a requirement for open space provision within the development site.
A 35	I cannot see how many houses it is proposed should be built in the Sandown Development Brief.	Section 3 of the brief states a maximum of 350 houses should be built.

A 36	With all this development on Nairnshire-Inverness corridor, Nairn risks becoming a suburb of Inverness.	The Council's adopted and emerging Local Development Plan seeks to strengthen Nairn's role as the strategic employment and social centre of Nairnshire maintaining its own identity.
A 37	We agree with the wetlands and green space and definitely affordable housing but not more private housing.	This comment is noted.
A 38	There are empty houses and flats in Nairn and town centre that could be used rather than building more houses.	The Council's Development Plan looks favourably upon the principle of development in town centres. The Council would support suitable development proposals for such sites. The Highland Council has taken a proactive approach to renovating empty properties in Nairn when financially viable to do so. The delivery of new build affordable housing will supplement any housing delivered through bringing empty properties back into use.
A 39	Keep rent down on shops and try to fill the ever growing empty spaces as it is sad to see the High Street dying off.	Whilst any funds realised could not be used to supplement rents etc, a competent use could be to fund community projects that might assist in rejuvenation of the town.
A 40	The map is appalling. A much clearer map is required.	What is included is the zoning concept plan from The Development Brief which also contains an explanation. The original consultation document contains additional area images.
A 41	Nairn Common Good should be run by the 4 Nairn Members and local groups not all the other councillors from across the Highlands.	Administration of the common good is a responsibility under statute of the Highland Council. Section 56 of the Local Government (Scotland) Act 1973 allows the Highland Council to delegate powers to committee, subcommittee or officers of the authority. The Highland Council has a Scheme of Delegation in place which addresses, inter alia, the common good. All decisions in respect of the common good are taken in compliance with the relevant statutes and Scheme of Delegation. All elected Members are responsible for the management of all Highland CGFs. The power to administer assets is delegated to Area Committees where value is less than 10% of total fund value for area concerned.

A 42	There should be more allotments.	The consultation document states that the existing allotments and an area for expansion is not included in the proposal.
A 43	A wider range of options should be publicly debated before any plans or recommendations are put forward.	The consultation is an information gathering process therefore if any alternatives proposals are submitted, they must be given consideration within the decision making in respect of the proposal.
A 44	Wetlands area good for wildlife & environment, extended with tree planting & an educational facility. No housing or units beside it as would affect the water/sewage balance if flooding occurred as will any concreting of this area. Gateway to town so a tourist/exhibition centre would be beneficial. Housing could be built on one field only in front of allotments with tree belt separating both. Green areas need to be expanded as lacking on proposed plan.	Many of these suggestions are contained in the Sandown Development Brief.
A 45	The land to south of A96 is too wet for development apart from community/tourist facilities. No problem with development on land to north of A96 but it should be by a quality builder so it will be an asset to Nairn and not a blight.	The current consultation is about the principle of sale. The mechanism for this has not been determined and independent expert advice would be taken before any decision in that regard is made i.e. whether as one site or whether as smaller sites/developer etc.
A 46	Nairn already has ample natural wetland/green space and no more is needed. It will have no commercial value in terms of considering sale of the common good lands.	The Sandown Development Brief indicates that the condition of some of the land means that wetland is the best use for it. Including adequate green space within the development will be a planning requirement.
A 47	The amount of wetland on south field is small and should not inhibit housing development on the rest of the field. It should not be sold to a single developer, but a large proportion should be available for self-build.	There is no suggestion in the consultation that Sandown would be sold to a single developer. This would be one option but not the sole option. What is being sought are views on the principle of sale and not the specific mechanics of any eventual disposal. In the event that a decision in principle is made the council will seek expert independent advice as what method of sale will generate the best value to the Nairn Common Good.

A 48	The housing development will mean hundreds of people crossing the golf course to access the beach causing a severe health and safety issue which could force the closure of the golf course that has been on this site since 1887, resulting in loss of jobs and revenue to the area.	The use of any formal or informal paths would be considered as part of the planning application and any rights of way may form an important connection for different types of journeys. To date there is no information to indicate that development of this allocated site would unduly conflict with surrounding land uses or movement routes.
A 49	Need to ensure that gardens are big enough for families and not too small.	Design and plot issues would be addressed as part of the planning process.
A 50	Inclined to prefer greater allocation to housing. There is a risk that extensive community facilities in this area draw people away from developing services and facilities in the town.	If approved, part of the process moving forward would be to develop a plan whereby benefit is achieved to Nairn as a whole.
A 51	It would be better used as a community resource which could be structured in a way to provide continuous funds for Nairn and provide real development opportunities for Nairn people.	Current agricultural use is relatively small scale and only for 8 months of the year returning a low rent. Some realisation of the asset may be required to fund the investment necessary to undertake these suggestions.
A 52	Highland Council's treatment of this consultation and it's wording begs the question of how much attention they will pay to the results.	All representations must be considered within the decision making process.
A 53	Have alternate uses for this land been recently and adequately explored.	No decision has been taken as to how the land would be sold or indeed if all the land will be sold. In the event that a decision in principle is made the council will seek expert independent advice as what method of sale will generate the best value to the Nairn Common Good.
A 54	Any development should not include shops – High Street is an eyesore with buildings not looked after and empty.	The are benefits to residents of a housing development in having some shops in close proximity to their homes.

B. Suggestions given in response to question - what would you wish to see included as part of any future development that is not covered by the contents of the Development Brief?

- Provision for 1 bedrooms housing should be included in the plans. Nairn lacks affordable housing and with a rise in single occupancy usage there is a need for smaller properties.
- More developed woodlands and outdoor community space. Community orchard.
- Renewable energy, sports pitches, rewilding projects. **(Although please see response to A8 above on issue of renewable energy).**
- Solid income for the common good fund if sale is the only option open to the Nairn Community.
- Velodrome for north of Scotland if not developed in Inverness. Activities for old, young and all abilities. Allotment extensions to include raised area for those not mobile enough to manage a full allotment.
- Heritage information and tourist centre to promote local businesses and services, local food growing green space, tree growing area to contribute to carbon capture.
- The elements contained in the Development Brief should suffice.
- Proper playground, not just green space.
- Sports pitches, small business units. Rent not sell.
- Potential for more housing if blocked field drain is unblocked, opportunity for an eco-self-build area, opportunity for a working from home area, where homes have attached or near-located work units for craft production, IT work. Small business units for artisans/cottage industries.
- An airbnb apartment/pods project to bring jobs and revenue to Common Good Fund.
- Housing owned by local authority or housing association and some adapted for the elderly with alarms, handrails etc.
- Non-profit community housing project. Seasonal park and ride provision to the town and Links.
- Maybe pond to encourage wildlife and proper play parks for children.
- Dance studio.
- A Brief that creates a development of character and design that is not overdeveloped. Use Tornagrain as an example.
- Large house plots to raise more income not dense development. Less affordable housing.
- Lease areas for use – for instance for a community hall which is needed in this part of Nairn.

B. QUESTION – WHAT WOULD YOU WISH TO SEE INCLUDED AS PART OF ANY FUTURE DEVELOPMENT THAT IS NOT COVERED BY THE CONTENTS OF THE DEVELOPMENT BRIEF?		
	REPRESENTATIONS	RESPONSES
B 1	Nothing. No more development is needed. Common Good land is owned by the people of Nairn not the Council.	Please see responses to A2 & A9 above.
B 2	Let Nairnshire leave Highland Council so that money is more fairly distributed.	The Council has a statutory obligation to provide certain services and allocation of budgets is considered taking into account area needs. It is incorrect to say Nairn does not get a fair share of such budgets; Nairn's allocation will be based on assessment of need with all areas needs being balanced within available budget funds.
B 3	Road enhancements to cope with extra traffic and a new primary school. Infrastructure needed.	Please see response to A1 above.
B 4	Develop site as a new 3-18 school with state of the art sports facilities also available for community use which will retain the land as a community asset. Wetlands should be fully protected, and a limited number of mid-market and affordable housing provided. The site should not be used for any form of supermarket. The old school site could be redeveloped for housing.	The site for the new high school has already been identified. As a result Sandown has not been considered for such a purpose. In the event that this suggestion was to be pursued, a fresh Community Empowerment consultation would be necessary as it would constitute a different proposal.
B 5	Better youth facilities – have youth groups been asked.	The Development Brief includes provision for community facilities and there are also area as yet unallocated so such a suggestion could be considered. Schools have been part of the second round of consultation to specifically canvas the views of the younger population of Nairn.
B 6	The people of Nairn having a say as to what happens to their common good, not Highland Council. Get control of Common Good back under the control of Nairn's population and not Council.	The consultation process is the forum for the community to submit views and suggestions on alternate use of the land. All representations must be considered within the decision making process. Please see responses to A2, A3 & A41 above in relation to statutory responsibility for Common Good administration and ownership..

B 7	Social housing rather than affordable. What type of housing is actually needed should be explored before approval to sell is sought. More executive homes are not needed. All housing to be social as locals cannot afford to buy due to incomers putting the prices up.	Please see responses to A17 & A20 above.
B 8	The Brief should not even be on the table.	The Sandown Development Brief that was prepared with feedback gathered at the Charrette held in 2012 remains an adopted Supplementary Guidance document, approved by Council Committee.
B 9	Council should listen to the people of Nairn and not disregard the previous consultation which resulted in an overwhelming rejection.	Please see response to A13 above.
B 10	Council are only interested in what money they can take from Nairn with little in return, they are not interested in Nairn. This is simply the Highland Council wanting to make money by selling the land to a developer with absolutely no regard to the residents of Nairn.	Please see response to A24 above.
B 11	Extensive consultation, transparency and accountability.	The consultation is the forum for the community to express its views. Please see response to A13 above for a full explanation on the extension of the consultation process. Any decision would be initially considered by Nairnshire Area Committee and if supported, recommendations would be made to full Council as this is where the final decision making rests given the value of the asset. In the event of Council approving the proposal, an application must be made to Sheriff Court for authority to dispose. This provides the fullest possible transparency and accountability.
B 12	A guarantee, in law, that the money comes to Nairn.	Please see response to A24 above.
B 13	There should be proper procedures in place and more than ample notice regarding any subject for consultation so that constituents, Community Councils and Councillors can liaise with local people and have time to respond.	The procedures that govern disposal or change of use of Common Good property are contained in the Community Empowerment (Scotland) Act 2015 and statutory guidance. The Council has more than complied with these requirements in this matter as follows:

		<ul style="list-style-type: none"> • All Nairnshire Community Councils were briefed prior to the consultation commencing and a press release was issued in advance. • Consultation document was advertised on Council website, social media and by newspaper notice as well as being served directly on Community Councils and community bodies. • The initial consultation period was double the usual length to account for Covid restrictions, the festive period and to allow for a Community Council meeting. • Analysis of the initial consultation indicated a need for greater clarity about the contents of the Sandown Development Brief and that some sections of Nairn community felt disenfranchised and unable to take part. As a result it was agreed that it was in the interests of the fullest possible community consultation that an additional period incorporating more direct targeting would allow for the fullest participation within the community.
B 14	There is no need for housing in view of the proposal by Springfield in the east of Nairn.	Please see response to A9 above.
B 15	Consider self-build plots with eco credentials rather than sale to single developer who will build harled, white boxes. Any development should be in keeping with the surrounding properties. Why do the council think now is the correct time to sell given the current property market boom and the effect the bypass will have on property prices? A range of options should be outlined for comparison with pros and cons for each rather than a single option.	There is no suggestion in the consultation that Sandown would be sold to a single developer. This would be one option but not the sole option. What is being sought are views on the principle of sale and not the specific mechanics of any eventual disposal. In the event that a decision in principle is made the council will seek expert independent advice as what method of sale will generate the best value to the Nairn Common Good.
B 16	A lot has changed since the Charrette in 2012 on which the Brief is based – planned bypass, development at Nairn East and the pandemic indicating the importance of green space for health and mental well-being of the community.	The Sandown Development Brief that was prepared with feedback gathered at the Charrette held in 2012 remains an adopted Supplementary Guidance document, approved by Council Committee. Implementation of the Brief will ensure continued adequate green space provision.

B 17	The Highland Council has only acknowledged in the last 2 years that Sandown is inalienable which shows a monumental failure of fiduciary duty.	The Royal Charter does not specify whether the land is inalienable or not. As a result, in the past, the Charter was interpreted to indicate that the land was alienable. Following the consideration of the Common Good assets in connection with publishing the register and given the manner of use of the land over the years, it has now been confirmed as being inalienable. However, even if the Council continued to consider it to be alienable, all it would take would for a question as to this to be raised and the requirement to apply to Court would be triggered.
B 18	Improve/replace play parks. Development of High Street.	Whilst not directly part of this consultation, the realisation of some of Sandown could provide funds for investment that would generate income that could be considered for use for grants for such purposes.
B 19	Upgrade junction of Sandown Road to A96. Improve crossings on A96. The plan showing the connection from site to safer routes to school path is not clear and does not look particularly safe or convenient.	In the event that disposal in principle is approved, all of these matters would be fully considered as part of any planning process.
B 20	A proper "development brief" must include the actual numbers and types of housing actually required not simply left up to a random developer whose only concern is profit. The brief must also include items such as additional shopping needs, schooling needs, community needs and proper and safe access and egress from the development. Any proposed disposal must be advertised and not simply handed to some random developer.	No decision has been taken as to how the land would be sold or indeed if all the land will be sold. In the event that a decision in principle is made the council will seek expert independent advice as what method of sale will generate the best value to the Nairn Common Good. The current development brief underpins the proposal with some details being refined should it be approved and reach planning stage.
B 21	There is no provision for cars to access the development directly to and from the A96. The Council states there are no road access problems but a survey or consultation on this does not appear to have been done on the impact on surrounding suburban roads. Such a survey should be completed and published.	The relevant policies and aspects of the Development Plan and the Sandown Development Brief (Section 7 in particular) identify some of the infrastructure requirements for the site – these will be further refined at any pre-application and application stages.
B 22	Restrict access across golf course on safety grounds as the general public mainly only read the right to roam part without understanding the responsibility to take care with regard to the	Please see response to A48 above.

	primary use of the land they wish to access. Currently there are a large number of parents endangering children and themselves when on the golf course.	
B 23	A plan for common good fund use that does not include paying for established facilities but focuses on future projects and visible benefits for all Nairn residents.	It is general Common Good policy, where possible, for each fund to be responsible for the maintenance of its assets. However, realisation of some of Sandown could provide funds for investment that would generate income that could be considered for use for grants for such purposes.

C. Positive comments given in response to question – what are your views on the proposed disposal of this piece of Common Good land?

- Currently the land is effectively being used only as a store of value. Little income is received from the land currently and capital is held up. It would benefit the local community more by providing much needed housing.
- Housing is a priority, social housing in particular. This should be affordable homes for the less well off in our society and the land should not proffered to the monied and privileged few. This may well mean that the asset will not realise its full potential in monetary terms, but this would certainly benefit the “Common Good”.
- We need more houses with plenty of green spaces in and around Nairn.
- Keep hold of it until the bypass. When Nairn is a more pleasant town to live in, the land will be more valuable.
- We need more housing especially social housing, and it is an ideal situation.
- It could be developed as a natural parkland with natural play areas and woodland suitable for dog walkers and walks for the general public.
- If it is to provide inexpensive rental property then it is an excellent idea. Better than it just sitting there.
- No sale of all of land in one go. Just a small section for good quality social housing.
- Long overdue.
- Overall, agree with the idea, but we need to update the infrastructure in Nairn to handle increases in the housing stock.
- Good in principal but concerns about timing as land values are currently depressed.
- I believe better value could be seen from the land by allowing/ creating smaller plots to complement existing housing rather than disposal of the whole. Perhaps creating space for some businesses as well.
- I agree with the wetlands public area and the interpretation centre.

- I see more houses to Nairn a positive thing, I personally am in need of a house so it's good.
- It makes sense.
- Money for the benefit of the town would be good.
- It should be disposed of to give a grant giving ability to Nairn.
- I am in favour of the disposal and in favour of developing the site in line with the Development Brief.
- Yes x 5
- Sell it for the right price/best possible price.
- Industrial site with no housing.
- I generally see the benefits to the town; however I would question if it would provide a better return financially than rental.
- It would be disappointing to see the disappearance of these open fields on the edge of Nairn, but the town would benefit from the money generated by the sale of this land and there is a need for social and affordable housing.

C. QUESTION – WHAT ARE YOUR VIEWS ON THE PROPOSED DISPOSAL OF THIS PIECE OF COMMON GOOD LAND?		
	REPRESENTATIONS	RESPONSES
C 1	Scandalous to be even running this considering you were told no first time. The consultation is a fix. Listen to the people of Nairn.	This is all part of the same consultation. Analysis of the responses received following the initial consultation indicated a need for clarity about the contents of the Sandown Development Brief and that some sections of Nairn community felt disenfranchised and unable to take part. As a result it was agreed, in the interests of the fullest possible community consultation, that an additional period incorporating more direct targeting would allow for the fullest participation within the community and would widen community involvement and transparency. This consultation process allows the people of Nairn to contribute their views which will inform the decision making process.
C 2	It should be for the people of Nairn to decide. It belongs to the people of Nairn as a recreational facility. It should be retained for, administered by and be for the benefit of the	Please see responses to A2, A3, A16 & A41 above. The royal Charter does not specify any particular use for this land.

	people of Nairn. It should not be decided by 84 Councillors from across the Highlands.	
C 3	It should not be sold at all.	As part of the Council's responsibility to Common Good, it must consider strategic use of assets in addition to maintaining the historical aspect. It is understood this can often be difficult to reconcile.
C 4	Highland just want to make a quick buck to make up for shortfalls in their support of Nairn. What would any money gained be invested in locally? All of any sale proceeds should go to Nairn Common Good fund. Who will be responsible for managing any sale proceeds?	Sandown is a capital asset of Nairn Common Good fund. Sale of a capital asset is used to increase the capital held by Nairn Common Good fund. Common Good funds are not used to make up any shortfalls in any other Highland Council budgets. It may be appropriate to use such funds to finance the purchase of other capital assets or fund capital projects, but such funds should not be used to fund revenue expenditure. Any funds received would be managed and administered in accordance with the Council's governance policies in relation to Common Good funds.
C 5	A sale results in long term loss for Nairn and I understand you are not able to add land back to common good in future. Common good land should be retained for the use of people of Nairn. If you sell the land and build houses on it the only people it benefits are the developers and the people that purchase houses. By selling, Nairn loses an asset for the long term. I would prefer all of it to be kept as open space or allotments The only way I can see a benefit of having houses would be if the housing was restricted so that only rental properties were built and kept permanently local authority housing or similar (i.e. not private landlords) with priority given to Nairn residents somehow. Even so the number of houses would need to be vastly reduced.	It is the case that land cannot be added back into the Common Good fund in the traditional sense however, the use of realised capital assets to purchase other property as investments would keep that property within the Common Good portfolio. Such an option may result in selling a low income generating asset and investing in property that may produce a high income yield for the benefit of the Common Good fund and therefore the community of Nairn. Housing is a statutory function of the Council and, as such, any land built on by the Council would need to be under its control with any rent received being received by the Council. In effect, the Housing Department would need to "buy" the required area of land from the Common Good. Regarding priority for Nairn residents - the last Springfield housing development at Lochloy delivered 29 properties for social rent, 19 of these properties were adapted and all allocated to applicants with a local connection to Nairn.

C 6	Highland Council's statutory duty to provide social housing for the community should be the only be an option on land owned or purchased by the council to meet their obligations. There are town centre buildings that could be brought back into use as housing.	The Highland Council has taken a proactive approach to renovating empty properties in Nairn or building on its own land when financially viable to do so. The delivery of new build affordable housing will supplement any housing delivered through bringing empty properties back into use. In meeting its statutory responsibilities, the Council must consider all appropriate sites within its ownership. If such a site is Common Good all statutory processes must be complied with before any decision on use of that site can be finalised.
C 7	Need to resist commercial pressure to sell. The development in the east shows how woefully lacking the infrastructure is. There is little enough green space to allow wildlife to flourish. Developers manage to easily avoid conditions placed on them by planning. Need guarantees that areas not including housing will go ahead. Do not trust the developers to comply with conditions.	Please see responses to A1 & A32 above.
C 8	The value currently suggested seems significantly below market value. Selling so cheaply will not deliver any meaningful compensation to Nairn for the loss of this asset.	Council is obliged to seek best value but may need to act quickly to take advantage in market fluctuations which is why the consultation is being conducted when there is no buyer for the land. In the event the proposal is approved, the council will seek expert independent advice on the method of sale to maximise the gain to the Common Good fund.
C 9	Another monotonous housing development is in direct contravention of any publicly stated aspirations for Nairn to be a cleaner, greener environmentally aware town.	The Development Brief acknowledged the need to maintain and enhance any development with green space. Any use of greener and environmentally friendly building and heating processes would form part of any planning considerations.
C 10	It has to work for Nairn and bring social and economic benefits to town. It should not be just a satellite settlement like Tornagrain, Milton of Leys, Lochloy etc with cursory community spaces and poor transport and social infrastructure.	In its Development Plan the Council identifies a range of sites across all Highland communities to ensure a balanced approach to meeting housing needs and providing employment opportunities in combination. The Council's adopted and emerging Local Development Plan seeks to strengthen Nairn's role as the strategic employment and social centre of Nairnshire.

C 11	Land should not be sold in one go. Perhaps smaller sections could be developed for housing to enable other bits to be put to better use for the common good.	There is no suggestion in the consultation that Sandown would be sold to a single developer. This would be one option but not the sole option. What is being sought are views on the principle of sale and not the specific mechanics of any eventual disposal.
C 12	Build in and around Inverness, it has the facilities to manage more people.	Development is considered across the Highland but there is an identified need for more housing in Nairnshire which the Council is seeking to meet.
C 13	Once it is gone, it is gone and a valuable asset is lost to the people of Nairn, forever. It is short sighted. Yes, there is a housing shortage, but we need social housing and sheltered housing; not selling off our land to the highest private bidder for a huge housing estate at the entrance to this beautiful village. Plant trees, plant an orchard, make a ground-breaking community asset where renewables generate power for the village, have allotments, plant a forest. Make a future for our youth to be proud off.	Please see responses to A6, A7, A8 & C3 above.
C 14	Local debate appears to have ceased to exist and it is toxic to have a view that differs from the loudest voices. All social housing tenants should be surveyed for their views. It is not clear if the Community Councils have any members who are social housing tenants. Information is needed about how land values have changed over the past 20 years and how they are likely to change over the next 20 years. It would be useful to know how much revenue would be released for local causes if Nairn invested £10m-£20m. The actual decision to sell should rest with the 4 local Councillors alone and be homologated by full Council.	This consultation seeks to capture the views of the widest range of community members. Whilst a survey of all social housing tenants did not take place, tenant participation officers were included as part of the second round of consultation and the manner of the consultation was designed to encourage participation from members of the community who had felt unable to participate in the initial phase. The consultation is about the principle of sale rather than the actual sale. The process has already exceeded a year and had there been a sharp rise in land values in that time, the Common Good would not have benefitted as the Council could not have moved quickly to take advantage. Decision making is covered by Council governance. In respect of disposing of an asset, if the value of the asset is 10% or less of the total area fund, the decision rests at Area Committee level however if it exceeds 10% the final decision must be made by full Council as all Councillors are custodians of the Highland Common Good funds corporately.

C 15	Are there any developers lurking in the background?	There is not currently, nor was there at the time the consultation started, a developer in the background. Nothing can be done until a consultation has taken place, a decision made and, if decided to go ahead, Court approval obtained.
C 16	There should be a series of public meetings to discuss proposals and any potential sale, after which the will of the people would be binding.	The consultation is the statutory process for the community to express any views. Whilst public meetings are useful, any representations would still need to be submitted in writing in accordance with the statutory guidance. Ultimately, after taking into account all information and having regard to the representations received, the decision on the outcome of the consultation is that of the Council.
C 17	This proposal is to benefit Inverness not Nairn.	The consultation is being conducted in respect of a Nairn Common Good asset. In the event that the sale went ahead, any proceeds would be received as capital funds into Nairn Common Good fund and would be used to benefit Nairn not Inverness.
C 18	If a scheme similar to Tornagrain was proposed, that might be different as that has given thought to the community so provides a home and a community. Building houses with a few green spaces but no real thought to environmental problems is ludicrous. Greater thought needs to be given to encouraging people to walk, cycle or use public transport.	At this stage, the consultation addresses the principle of sale to allow the Council to respond quickly to improved market conditions. In the event the proposal is approved, the council will seek expert independent advice on the method of sale to maximise the gain to the Common Good fund.
C 19	Keep the allotments.	The allotments and an area for expansion is already specifically excluded from the consultation.
C 20	I am against sale of the land, however if the majority votes in favour I would prefer that the land is sold in parts to private peoples over the big developers.	In the event the proposal is approved, the council will seek expert independent advice on the method of sale to maximise the gain to the Common Good fund. This could include a variety of forms of sale options.
C 21	There is insufficient detail on the housing makeup, nothing on the 'tourist facilities' and how this will impact the community centre. This proposal is poorly thought out and obvious from the questions trying to make it a foregone conclusion.	The Development Brief underpins the proposal with further details being refined at any pre-application and application stages. The consultation is the information gathering exercise which will inform the decision making process.

C 22	The Common Good Fund could be managed better to unlock potential funds by raising rents & selling off smaller areas/buildings etc so that a grant fund can be established.	This is outwith the scope of this consultation however, the comment is noted.
C 23	If Sandown is developed and if Cawdor estate is developed, the A96 corridor to the west of Nairn would be one large housing estate. Therefore, all of the land south of A96 should be left as green space/wetlands to balance this.	This suggestion is noted.
C 24	Why is it back for consideration again so soon? Is it because the Council do not want to listen to the last consultation?	This is an extension of the initial consultation rather than 2 separate processes. The analysis of the initial phase highlighted a need for clarity around the Development Brief and indicated that some members of the community were disenfranchised or felt unable to participate. It is in the interests of the fullest possible community involvement that this extended period of consultation has been undertaken.
C 25	If the land is not earning much currently that must be reviewed and rents increased.	The land is let on seasonal lets for agricultural use. The rent is a fair return for the use. Realising some of Sandown may allow for investment that could create income generation projects on the rest of the land that would benefit the Common Good and Nairn as a whole.
C 26	Sale may not get the best value for the common good, but timing would be crucial. There should be full communication with the community. This does not mean engaging with the community councils – they do not genuinely represent the community.	It is accepted that, in the event of a sale, timing is crucial. Community Councils are statutory consultees under the Community Empowerment legislation however, all representations made by any member of the community are given equal regard within the decision making process. The main reason for this additional consultation period was the ensure we captured the views of as many members of the community as possible.
C 27	I understand the lands must be disposed of, but I am concerned by the lack of detail about layout and how it will affect my property. Why is this last minute Brief being handed out offering little time to consider it.	The consultation is about the principle of sale. The Development Brief has been part of the Council guidance since 2012 and was referred to in the original consultation document. However, analysis of the initial round of consultation indicated that further clarification regarding its contents was needed and was part of the reasons why the additional consultation period has been conducted.

C 28	What proof is there that more houses are needed in Nairn.	Business leaders at a recent economic strategy meeting identified lack of housing as major constraint on the economic recovery in the Highlands. The housing market is currently overheating due to the lack of new supply. There is no surfeit of new housing in the area and delivery of new housing at Sandown would ensure a long term supply to assist the economic sustainability of the area.
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D. Positive comments given in response to question – do you have any proposals for use of Sandown Lands that have not already been raised within the consultation process or are covered in the Development Brief?

- Community woodland/outdoor community space.
- Renewable energy, sports pitches, velodrome, rewilding projects, outdoor nursery, playparks.
- There are lots of possible options that should be looked into. Further research is needed as to what is possible. We should be future proofing the common good land and preserving it for future generations of Nairn and looking to being bolder with our ideas not just doing the same old stuff we have done for decades - research into the possible types of housing ownership schemes, what kind of housing is actually needed and what could be done to the land for the benefit of the local community.
- Parkland areas with wetland walks, a pond, wildlife sanctuary areas , an orchard for local consumption, dedicated dog exercise areas.
- Scout hall and community camping ground/campervan site run by local volunteers to raise funds for Nairn.
- Development of a “Green” activity area for Nairn as an alternative to what is available at the Links. Use Landmark as an example.
- Content that the proposal should proceed as described and hopefully expeditiously.
- Social housing only.
- Another academy, primary school and supermarket.
- Use it for farmland – we need food and crops.
- Commercial solar (PV) generation on a land lease basis - **Please see response to A8 above on this point.**
- I support any housing provision on the land via a non-profit local housing association to be further considered.

- Ensure that any buildings on the site will be carbon neutral and self-sufficient in solar energy, so that they are cheap to run for both businesses and residents.
- No. Excellent location for badly needed housing development.
- Cycle paths should be considered. Units for rent are really needed in Nairn for businesses.
- Community Centre that can be used for various groups.
- Maintain for farming or give option to sell to townsfolk to allow preservation of the space.
- Cinema complex.
- Limited premier housing. Fewer houses, better quality and higher house prices.
- Eco Park to protect nature/species. Sports centre for swimming. rock climbing, sports pitches, squash courts and some limited housing around. Car parking.
- Any proposals should include leisure facilities that the people around about may take advantage of. Such as a climbing wall, bowling alley, roller skating rink, for example, really anything that brings in a cash return. Also these would be indoors, so when the weather is horrible the people have a nice place to go to.
- Land could be used for supporting adults with needs by growing food for the community food banks and providing training, work and recreational opportunities for Nairn people.

D. QUESTION - DO YOU HAVE ANY PROPOSALS FOR USE OF SANDOWN LANDS THAT HAVE NOT ALREADY BEEN RAISED WITHIN THE CONSULTATION PROCESS OR ARE COVERED IN THE DEVELOPMENT BRIEF?		
	REPRESENTATIONS	RESPONSES
D 1	This consultation is a fix. Council have already decided it is to be sold for development and whatever th community says will make little difference.	This has been answered above – see responses to A13 & C1. The consultation is a statutory process, and the Council is obliged to have regard to representations made when making a decision.
D 2	Do not sell. Keep it as it is. Create more allotments.	Please see responses to A6, A27, B1 & C3 above. An area for extending the allotments has been specifically excluded from the consultation already.
D 3	No development without infrastructure.	Please see response to A1 above.
D 4	The time and price proposed is not right to dispose of this asset that has belonged to the people of Nairn for hundreds of years. The Highland Council has NO authority to sell.	Timing/price – please see responses to A4, A5 & C8 above. Ownership – please see responses to A2, B17 & C3 above.

	People of Nairn could sell the land and use proceeds to enhance Nairn – clean paths, clear riverside trees.	Use of any funds must be in accordance with Council’s Common Good policy and governance processes but it could allow for the creation of a grants budget for community projects.
D 5	A trust comprising local councillors and Nairn residents should be set up to manage the land.	If this were to happen, the land would no longer be considered Common Good land. If land is held on a trust, it cannot also be Common Good (Magistrates of Banff v Ruthin Castle Ltd).
D 6	The consultation does not explain the situation in an unbiased way, nor does it explain the circumstances for the extra consultation. The layout of the questions is in the wrong order making them seem leading questions. The consultation only proposes housing and nothing else.	The background to the additional period of consultation was contained fully in a report to Nairnshire Area Committee on 15 September 2021 and is available on the Council website. The responses to all questions inform the decision making process regardless of the order in which they appear in the questionnaire. The consultation is about the principle of sale only not the mechanics however, it is also the opportunity for the community to put forward suggestions for ideas for use of this land.
D 7	Refrain from future underhanded consultations which shut out the local community councils and attempt to ignore the views of local residents.	Please see B13 above for a full response to this.
D 8	What about something that would benefit the people of Nairn and surrounding areas. Not just Council and councillors.	In the event of a sale, any proceeds would be a capital receipt for Nairn Common Good fund and used for the benefit of Nairn. Any funds received cannot be used to fund other Council projects or shortfalls in budgets.
D 9	Does it need to be sold urgently? The value is derisory, disposal should not be considered until maximum value can be achieved.	Please see response to C8 above.
D 10	When no means no – take no for an answer.	No decision has yet been made. The additional consultation period was pursued following analysis of the responses to the initial period which highlighted a need for greater clarity concerning the contents of the Development Brief and also indicated that some groups within the community had felt disenfranchised or unable to participate. It is in the interests of the Nairn community that the Council endeavours to capture as many views from the people as possible.

D 11	This is a consultation about flogging the land not about the Sandown Development Brief.	The contents of the Development Brief underpin the proposal as indicated in the original consultation document – <i>“We are keen to hear the views of the community on the proposal to sell Sandown lands for development as outlined above in the Sandown development brief previously agreed.”</i>
D 12	Why is the consultation not confined to Nairn and Nairnshire only. By publicising it on national websites, it gives the impression it is “open house” for comment.	The Council accepted representations regardless of address. It is appropriate that consultations are conducted on a corporate basis and, in some cases, comments from participants outwith the area are directly relevant. It is only fair and equitable to allow it for all consultations.
D 13	The use of Sandown Lands should be put to the people of Nairn to make suggestions.	This consultation provides the opportunity for the Nairn community to submit suggestions.
D 14	Develop it further for leisure use for the people of Nairn as originally intended.	The Royal Charter does not specify a use for the land.
D 15	Council needs to source funding corporately, nationally and charitably to get the community facility off the ground in advance of any housing and at no cost locally other than invested cash from sale of Tradespark Hall. The lack of trust in the Council is problematic and needs countered. Promises made to Nairn at the end of the District Councils have never been fulfilled.	It has not been possible to confirm the position regarding sale of Tradespark Hall. Further enquiry will be undertaken to establish the current position. Otherwise this comment is noted.
D 16	No alternative options provided, no further extensive community consult on choices. This is a proposal to sell in entirety only. What about part sale for small development only, solar panels or use for school.	Solar/renewable energy – please see response to A8 above. School – please see response to A19 above. Sell in entirety – please see response to C11 above. Suggestions – please see response to D13 above.
D 17	Decision should be through proposals by a committee who have Nairn as their priority.	Please see response to C14 above. Nairnshire committee who are the elected Councillors for Nairn will be reviewing and making recommendations on the outcome of the consultation. In the event that the Nairn committee recommends approval, the Council governance procedures require a final decision to be made by full Council due to the value of the asset.

D 18	Whilst the wetland/green space and tourist space aspects of the brief would be of benefit, the development of these aspects would not require the disposal of Common Good land.	There may be a need to realise some of the asset to fund investment in these aspects.
D 19	The proposals mooted are vague and unspecific and should really be properly put together by independent professional planners not council officials with dubious motives.	Please see response to C18 above.
D 20	If your determined to sell it sell it to the town people so we can decide what happens to it.	A community group within Nairn could submit a community buy out/CAT request. There are statutory process for such matters, and it would trigger fresh a Common Good consultation as well. As far as it is known, such a suggestion has not been seriously put forward.
D 21	Control, monitoring, auditing and use of the funds and assets of the Common Good Fun to be returned to the local community.	This is outwith the remit of this consultation however, all Highland Council Common Good funds are managed in compliance with statutory requirements, Council governance procedures and meet all financial standards.
D 22	The disposal of this land appears to be for the Highland Council's benefit not to benefit Nairn communities.	Please see response to C4 above.
D 23	If a bypass was built, it might be appropriate to develop the lands.	Please see response to B15 above.
D 24	The current development brief is not good and needs more discussion.	The Development Brief was produced after an extensive Charrette process and remains adopted guidance for the Council.

RESPONSES EMAILED/POSTED DIRECTLY RATHER THAN BY USE OF PORTAL FORM (E)

20 representations were received by direct email or post rather than use of the online portal and electronic form.

Some responders emailed directly and also completed the online form. As they provided online identification details it was possible to confirm whether responses were identical or different in each case. It was also possible to confirm where responders had commented during the initial consultation process

and to compare responses. Where any responses were resubmitted within the additional consultation process but were in identical terms to those previously submitted, they have not been responded to again. Part of the explanatory information for the additional consultation period confirmed that any responses submitted previously did not need to be resubmitted as the comments contained within are already part of the analysis and will go forward and form the complete information considered during the decision making process.

Positive comments received

- Housing development in Nairn would be welcomed but it needs careful planning, timing and services resolved.
- Low cost housing is better positioned near employment possibilities and good access to public transport which would favour the east of Nairn as a location.
- In light of the inclusion of the 2013 Plan, I am now supportive of the development at Sandown and the formal change of use. I would suggest that parkland and potential connectivity to the coastal area and the wetlands be included.

Objections or issues raised for response

	REPRESENTATIONS	RESPONSES
E 1	Sandown is a popular green space and an attractive entrance to the town. It promotes health and wellbeing; fights climate change allows food growing and counteracts loss of wildlife.	This comment is noted. The Development Brief includes plans which incorporate these comments.
E 2	Community cannot comment without more information – earning power, lease options, investment proposals, timeline, alternate scenarios. The stated land value of £6m-£7m lacks credence. There is no need to proceed quickly. There is already a wide choice of housing in and around Nairn.	At this stage, the consultation addresses the principle of sale to allow the Council to respond quickly to improved market conditions. The process has already exceeded a year and had there been a sharp rise in land values in that time, the Common Good would not have benefitted as the Council could not have moved quickly to take advantage. In the event that a decision in principle is made the council will seek expert independent advice as what method of sale will generate the best value to the Nairn Common Good. Business leaders at a recent economic strategy meeting identified lack of housing as major constraint on the economic recovery in the Highlands. The housing market is currently overheating due to the lack of new supply. There

		is no surfeit of new housing in the area and delivery of new housing at Sandown would ensure a long term supply to assist the economic sustainability of the area.
E 3	The additional consultation fails to meet the Empowerment Act criteria for a correct participation of the public. Conducting an additional/second consultation is neither valid nor justified.	The additional consultation accords with the statutory provisions and the guidance and supplements the initial consultation process allowing for an extended reach and increased participation of members of the Nairn community. A number of representations within the initial consultation raised issues with the consultation being conducted during Covid restrictions and expressed the view that some members of the community might feel disenfranchised and not be in a position to participate. The Council have taken these comments fully onboard and, as a result, have undertaken an additional period of consultation endeavouring to make it as inclusive as possible to all community members. This fully accords with the principles of community engagement at the heart of the Community Empowerment legislation.
E 4	Selling the land is not of long term benefit. Can the Council go into partnership with a housing association and retain rights to the land?	Such a proposal would change the status of the land. In effect it would need to be transferred to the housing account of the Council from the Common Good (for value). This would still remove the land from Common Good. Any income would be housing revenue receipt not Common Good.
E 5	If sold, who would control the money? Would the money just disappear into the Council coffers?	Sandown is a capital asset of Nairn Common Good fund. Sale of a capital asset would increase the capital held by Nairn Common Good fund. Control and governance is provided by financial regulations, Council policies and Council governance and applied for the benefit of Nairn. Common Good funds are not used to make up any shortfalls in any other Highland Council budgets.
E 6	There is no information about how many houses are proposed and the proportion of social housing.	The Sandown Development Brief gives a figure of a maximum of 350 houses across the site with 25% being expected to be affordable/social housing.
E 7	What about using for a solar farm to generate electricity or ground source heating system.	Sandown has been considered in the past, but it never reached the stage of formal analysis. There is no council load anywhere near the site and the grid at Nairn is severely constrained. Theoretically, if it was a suitable area, it

		could be considered for such use, but the benefits are best if there are buildings close by to take the generation and this is easiest if the buildings are new as there are fewer restrictions.
E 8	As a neighbour to the site, my view will disappear, new housing will overlook my windows and garden, it will affect my self-catering business, my house price will be reduced, increased traffic will affect my access. How big is the buffer zone and what will be there.	These comments are all noted however, they are more appropriate for consideration in the event of the matter proceeding to a planning stage.
E 9	Infrastructure, traffic management issues are not included in the document. Housing on the scale envisaged is not needed and will overload the already struggling services. Sandown Farm Road and Altonburn Road are very narrow and barely cope with existing traffic.	Both consultation documents refer to the Sandown Development Brief which identifies some of the infrastructure requirements for the site – these will be further refined at any pre-application and application stages
E 10	Can you tell me what Committee is discussing this, when it meets and how to see the minutes.	The various stages of the consultation so far have been considered by the Nairnshire Committee and will next be discussed when that Committee meets on 1 March 2022. The reports and minutes are published on the Councils website under Council and Government.
E 11	The land is the property of the people of Nairn and not the Highland Council. To sell for financial gain is a breach of trust and amounts to robbery.	Common Good land is owned by Highland Council but administered separately from other local authority property. Vested by s 222 Local Government (Scotland) Act 1973 and then by s15 Local Government etc. (Scotland) Act 1994. Both transfer provisions confirm that in administering common good property the authority must have regard to the interests of the inhabitants of the area. If considering sale of the land, the Council must comply with the consultation requirements of the Community Empowerment (Scotland) Act 2015 and seek Court approval where land is considered to be inalienable. Any sale proceeds will be a capital receipt for Nairn Common Good fund and administered for the benefit of Nairn.

E 12	There have been too many instances of mismanagement of the Common Good Fund and there needs to be more local control.	All Highland Council Common Good funds are managed in compliance with statutory requirements, Council governance procedures and meet all financial standards. All decisions must bear full scrutiny.
E 13	Any referral to Sheriff Court for approval of the disposal is premature given the inadequate level of information available to the public as part of this consultation.	The first stage of the process is the Community Empowerment consultation which is still in progress. That consultation informs the decision making process. The requirement to seek Sheriff Court approval is triggered because a question as to alienability of the land arises. These are 2 separate process but application to the Sheriff Court will only happen if the Council approves the proposal at decision stage.
E 14	Charrette for the Development Brief was undertaken 10 years ago and there have been a lot of changes in the local area – for instance the proposed dualling of the A96 and new bypass. The consultation should not go ahead until the position regarding these road projects are clearer.	The Sandown Development Brief that was prepared with feedback gathered at the Charrette held in 2012 remains an adopted Supplementary Guidance document, approved by Council Committee. The Development Brief and the other aspects of the Development Plan will be taken into account in any planning application.
E 15	The factors behind such a plan are referred to in the consultation paper but nowhere is there any detail provided. The public, in my opinion, are not adequately informed by that paper - another reason why a new consultation process with a proper development brief to follow is required. The plan identifies area for public use and connected activities – it would be best to keep these areas as part of the Common Good. It does not address a part disposal of the land.	The relevant policies and aspects of the Development Plan and the Sandown Development Brief identify some of the details for the site however, these would be further refined at any pre-application and application stages. At this stage, the consultation addresses the principle of sale to allow the Council to respond quickly to improved market conditions. In the event the proposal is approved, the council will seek expert independent advice on the method of sale to maximise the gain to the Common Good fund. The mechanics of any eventual sale have not been decided – it may be that not all of the land is sold at the same time or that some of it is retained.
E 16	Sale of land and holding of cash is not advisable in a period of inflation when interest rates are low. So these discussions should be left until the situation improves. Land values are fluctuating at present.	The consultation is about the principle of sale rather than the actual sale. The process has already exceeded a year and had there been a sharp rise in land values in that time, the Common Good would not have benefitted as the Council could not have moved quickly to take advantage.
E 17	Before any development of Sandown is considered, a strategic plan for the development of Nairn as a whole needs to be produced. Nairn could be developed as the coastal resort for	This comment is noted.

	Inverness and be uniquely placed to provide mixed development. Sandown would be the ideal location for housing that would appeal to the aspiring and affluent that such a development would attract.	
E 18	Consider moving the new academy to the south field and using the current academy site for new housing as it would be closer to the town centre.	The new academy site has been confirmed but this comment is noted.
E 19	Discussion needs to take place on how the asset can be developed to support Nairn Community.	The consultation is about the principle of sale. The Council will seek expert independent advice in the event that the proposal is approved regarding the best method of sale and maximising the benefit to Nairn Common Good.
E 20	Many people in Nairn do not have internet access. Where are their voices without written consultation.	This was raised during the initial consultation period and it was to widen and seek to capture those disenfranchised in this way that the additional period of consultation was undertaken. A short term reference group was set up to help facilitate direct contact with groups of the community identified as under-represented. Open sessions were held in local supermarkets, tenant participation groups were involved, and the consultation was widely advertised in a number of locations. The initial consultation period resulted in just under 100 responses whereas the additional period has returned over 300 responses with the majority confirming they had not participated in the initial round.
E 21	Having read the correspondence from 2012 regarding this land, it seems as if the Council have agreed the matter prior to any agreement from the owners (people of Nairn). The community said a resounding “no” last year. The land was bequeathed to the people of Nairn by Royal Charter.	No decision on sale has been made. The consultation informs the decision making process. Regarding ownership – please see response to E11 above.
E 22	The Council has determined that housing is needed in certain areas, but Nairn is not one due to the recently completed developments at Nairn East and the planned developments at Balmakeith, Househill and Achnacloich.	The provision of housing on this site can help to address ongoing housing needs as identified in the Council’s adopted and emerging Development Plans and in line with the Housing Need and Demand Assessment. A recent economic strategy meeting of business leaders identified lack of housing as major constraint on the economic recovery in the Highlands. The

		housing market is currently overheating due to the lack of new supply. There is no surfeit of new housing in the area and delivery of new housing at Sandown would ensure a long term supply to assist the economic sustainability of the area.
E 23	Confirmation from Nairn West & Suburban Community Council of resubmission of response to initial consultation in reply to additional consultation process.	All representations made by the Community Council were fully responded to following the initial consultation and remain part of the decision making process.
E 24	Consultation should only be open to Nairn residents and anyone residing outwith the area should not be entitled to comment.	The Council has to manage the consultations in a corporate and fair manner. There are occasions when it is accepted that there will be a high number of comments from people who do not reside in the immediate area – for example <ul style="list-style-type: none"> • consultations affecting caravan parks when regular visitors may wish to comment or • consultations on sporting facilities on common good land when international members may wish to comment.
E 25	This consultation is directed at setting aside the result of the original consultation, which was an honest exercise and produced an honest result.	The initial consultation period is not being ignored. All of the representations received within that process are being carried forward with the responses from the additional consultation to inform the decision making. A number of the representations received raised the difficulties that some members or groups of the community may face in participating in the initial consultation. The additional period is in direct response to those comment and is entirely in the interests of ensuring the widest possible community involvement and for that the Council should not be criticised.
E 26	The council will need to deceive the Court that will require to grant approval, into believing that the second attempt overcomes the results of the first.	Please see response to E25 above. The second period of consultation enhances and expands the initial period. In the event that the proposal is approved, and an application is made to the Sheriff Court, the Court will receive full information regarding the entire process – initial and additional.
E 27	Council claims there was a poor response to the initial consultation but both community councils representing the	It is accepted there was a good response to the initial consultation at just under 100 replies. The additional period of consultation has now returned

	<p>whole community responded as did the golf club with 800 members.</p> <p>The Common Good Officer was given an additional month to collate all the points due to the unprecedented volume of responses.</p> <p>It is noted the Council did not publish the responses in full as required under the statutory guidance.</p>	<p>just over 300, very few of whom participated in the first round of consultation.</p> <p>Therefore, it has been a very useful exercise in capturing an increased input from a wide range of the community some of whom did not feel their views were reflected in the Community Council comments – please see response to C26 above.</p> <p>The Guidance states the Council must “aim” to respond within 8 weeks of receipt of representations not <i>must</i> and, in any event, consideration by Area Committee and/or Council is dependant upon timetable of relevant meetings.</p> <p>The issue of how the Council deals with publishing representations has been fully dealt with in correspondence. The guidance states “<i>making it clear that all representations will be published.</i>”. It does not state this will be verbatim. Across Scotland, different Councils deal with this in different ways with a number detailing representations in the same manner as Highland.</p>
E 28	<p>How were the groups who had not participated identified? Who decided the original responders were not suitable to comment?</p>	<p>Ward Manager community engagement picked up on groups and sections of the community who had felt unable to participate with some expressing anxieties of repercussions to their comments if they could be identified.</p> <p>The comment regarding suitability of original responders is inaccurate as all original responses are still part of the decision making process.</p>
E 29	<p>To say the original responders did not understand the issues is insulting. Nairn people are better informed about local planning and Common Good than most officials and Councillors. The points made in the original letters were factual and well researched.</p>	<p>This is inaccurate. The report before Nairnshire Committee on 15 September 2021 stated, “<i>the analysis of the responses indicated key areas of misunderstanding as to the Brief’s contents and a lack of knowledge of the principles and elements it contains.</i>” Nowhere does it state this related to all representations received but from the contents of some of the comments it was clear that there were people who were not aware of the details contained in the Development Brief.</p>
E 30	<p>To say there were no alternatives put forward is rubbish – from the edited points published, there were multiple other forms of land use, tenures and facilities suggested.</p>	<p>It is acknowledged that some representations contained suggestions but, in general, these were in the minority of all the responses received.</p>

E 31	<p>The Council have said it is not about housing but the first question in the survey is “how important is housing?” The are now plans for 1200 houses between Househill and Nairn South. Allowing a volume builder to have the whole site for a snip is great for the developer and the worst thing for the Common Good. Housing at Sandown could be by partial sale or community ownership.</p>	<p>It was said on a number of occasions in replies to representations in the initial consultation and has been referred to again in replies in this document - there is no suggestion in the consultation that Sandown would be sold to a single developer. This might be one option but not the sole option.</p>
E 32	<p>The reason for a reopened consultation for Sandown would seem to be that HC did not get the response it wished from the official consultation and decided to try again for approval, while making pejorative remarks about previous responders.</p>	<p>This is inaccurate. The additional consultation period is about increasing the participation by the Nairn community and is entirely in the interests of community engagement and the principles of Community Empowerment. All responses within the entire process will inform the decision making.</p>
E 33	<p>Community Councils were initially omitted from the reference group set up to facilitate the additional consultation.</p>	<p>This is inaccurate. Both Community Councils were invited to be part of the group but declined to participate.</p>
E 34	<p>Nairn BID and Citizens Advice Bureau were included in the reference group – both receive significant funding from the Council and would have a direct financial interest in liquidating Nairn Common Good assets to provide funding for future spending. Neither are representative of the Nairn community.</p>	<p>The reference group was chaired by the Ward Manager for Nairn. All members of the group had some connection within the community that allowed them to assist in raising awareness of the consultation and widening the reach. Their role was to support the gathering of views and responses but not to express any individual views. It was unfortunate that the Community Councils who are best placed to canvas the views of the whole community declined involvement.</p>
E 35	<p>The Council have stressed this is a community consultation so in law it has to be a consultation of the inhabitants of the former Burgh of Nairn. The Local Government etc (Scotland) Act 1994 which transferred Common Good property to the Council states <i>“in the case of the councils for Aberdeen, Dundee, Edinburgh and Glasgow, regard should be given to the interests of all the inhabitants of their areas, and, in the case of other councils, to the interests of the inhabitants of the area to which the common good related prior to 16 May 1975.”</i></p>	<p>The requirement to “have regard to the interests of the inhabitants of the area” relates to decisions made in administering it. However, neither this legislation nor the later Community Empowerment legislation states that only inhabitants of the former Burgh can comment. In fact it would be possible for an organisation from outside of the area to seek funding for a project. In making any decision on the application the Council would have to have regard to the interests of the inhabitants of the former Burgh – in other words decide whether that application or project would be of benefit to those inhabitants as well as any outwith the area.</p>

	No address details are requested so entitled to be consulted cannot be confirmed – anyone from anywhere in the world can respond.	Under the Community Empowerment legislation, Community Councils and community bodies are statutory consultees and must be notified and invited to make representations and the Council must have regard to those comments. However, section 104(6)(b) states the authority must also have regard to “any representations made by other persons in respect of its proposals published under subsection (2).” Please see E24 above on this point.
E 36	Anonymous submissions have been allowed which could lead to multiple submissions from the same person.	Please see C26 and E28 above for some of the reasons why members had anxieties around providing identifying details. These concerns were considered carefully, and it was felt they should be reflected by allowing the option for anonymity. It would not be equitable to deny members of Nairn community their entitlement to comment. The possibility for multiple submissions is no different as it would be possible even if identifying details were supplied for a person intent on such an idea to use email accounts in different names or belonging to different family members.
E 37	It is bizarre and completely unacceptable that children at school of any age are being targeted to respond to a questionnaire about the options around a multimillion pound property sale which they would not legally be considered to have the capacity to understand. Burghers of a town are adult citizens not children. Also, many Nairn Academy pupils do not live in the former Nairn Burgh.	School bag drops were done by way of leaflets for children to take home to their families. None of the responses received give any indication that they have not been completed by adults. However, please see B5 above which specifically asks if youth groups have been contacted. The question of address has been dealt with above.
E 38	Nationwide Construction journals and housing organisations have also been targeted to get their readers to fill in multiple questionnaires.	This has been specifically investigated and there was no deliberate targeting. The publications referred to in correspondence are part of the news group on the Council’s press release list so would have picked up the information on that basis. Having checked the articles concerned, they have simply repeated the Council press release almost verbatim.

E 39	<p>Housing list tenants have also been targeted – again there is no verification that they live within the former burgh or have anything to do with the town.</p> <p>Targeting specific groups contravenes the Equalities Act. If leaflets and information are sent out it must be to the whole community.</p>	Please see E24 & E28 above.
E 40	<p>There has been no consistency in the information being presented to the public – the second consultation has replaced the first consultation document and now there has been a flyer, pop up stands, reference group contacts and use of information systems in CAB and possibly healthcare.</p> <p>It is more than likely that people are being “assisted” to fill in the survey, but this is not indicated, nor the name of the scribe provided.</p>	<p>The lack of more expansive consultation methods was criticised in comments during the initial consultation period. The additional consultation process has sought to rectify this by using more creative and inclusive methods. It is unfortunate that this is being viewed negatively rather than as a positive step towards increased community engagement.</p> <p>Regarding any assistance given – “more than likely” is an assumption. Enquiries can be made seeking feedback on how much, if any, assistance was provided.</p>
E 41	<p>Since the first consultation there have been several initiatives to further encourage community land ownership and control. The Scottish Land Commission, HIE and the coming Land Reform Act are all firmly of the opinion that this is the way to ensure good management and economically sustainable use of land. This Common Good Land has been in the possession of Nairn Burgh for over 400 years, and yet HC want to have carte blanche to do whatever they like with it at whatever price they choose. That includes these areas designated for community use.</p>	<p>Initiative that may have been discussed are noted however, the Council is obliged to act within the current statutory provisions and its own governance procedures. Throughout this entire process, the Council has repeatedly said that this is about the principle of sale and independent, expert opinion would be taken prior to any eventual sale that may occur. This would be about the mechanics of sale and to ensure best value for the Common Good which is a statutory obligation.</p> <p>Whilst it is accepted that the land is often used by the community for walking etc, it has not been specifically designated as such and its more regular and routine use is as seasonal agricultural land.</p>

Sandown Lands Consultation - we need your views...

Why is the Council considering selling Sandown?

Investment in and development of Nairn and Nairn Common Good assets

currently Nairn Common Good Fund does not have a Common Good Fund grants budget for community groups etc to apply to for assistance. The sale of Sandown would recover a significant sum which would allow for the development of an investment programme which could apply part or all of the revenue received to fund such a grants programme.

The sale proceeds would present an opportunity for the Nairn Common Good Fund to invest with the potential of a higher income yield than is currently generated by the use of Sandown lands. In addition, the building up of the investment funds is a way of future proofing the assets already held within Nairn Common Good in the event that renovation/improvement works are required.

There is an identified need for more housing in Nairn, both private and affordable.

Volatility of the market and property values. If there was a decision to sell then it would allow the Council to move quickly at the right time to secure the best possible value for the benefit of Nairn Common Good and the residents of the former Burgh.

Ongoing implications of Covid-19. The impacts of Covid-19 are expected to be ongoing for some time and strategic planning is needed to assist Nairn in recovery and rejuvenation.

Community Empowerment consultation on proposal to dispose of Sandown Lands for development – additional consultation period.

Sandown Lands are an important asset for Nairn Common Good and any decision must be based on the most complete information available. Therefore, the Council is undertaking a further period of consultation to ensure the opportunity to comment is given to as many members of the Nairn community as possible and to allow for the gathering of additional, detailed information.

Any additional information will be combined with the responses already received.

A copy of the original consultation document can be found at this link:

[https://www.highland.gov.uk/downloads/download/1924/sandown lands nairn consultation](https://www.highland.gov.uk/downloads/download/1924/sandown%20lands%20nairn%20consultation)

[https://www.highland.gov.uk/downloads/download/1924/sandown lands nairn consultation](https://www.highland.gov.uk/downloads/download/1924/sandown%20lands%20nairn%20consultation)

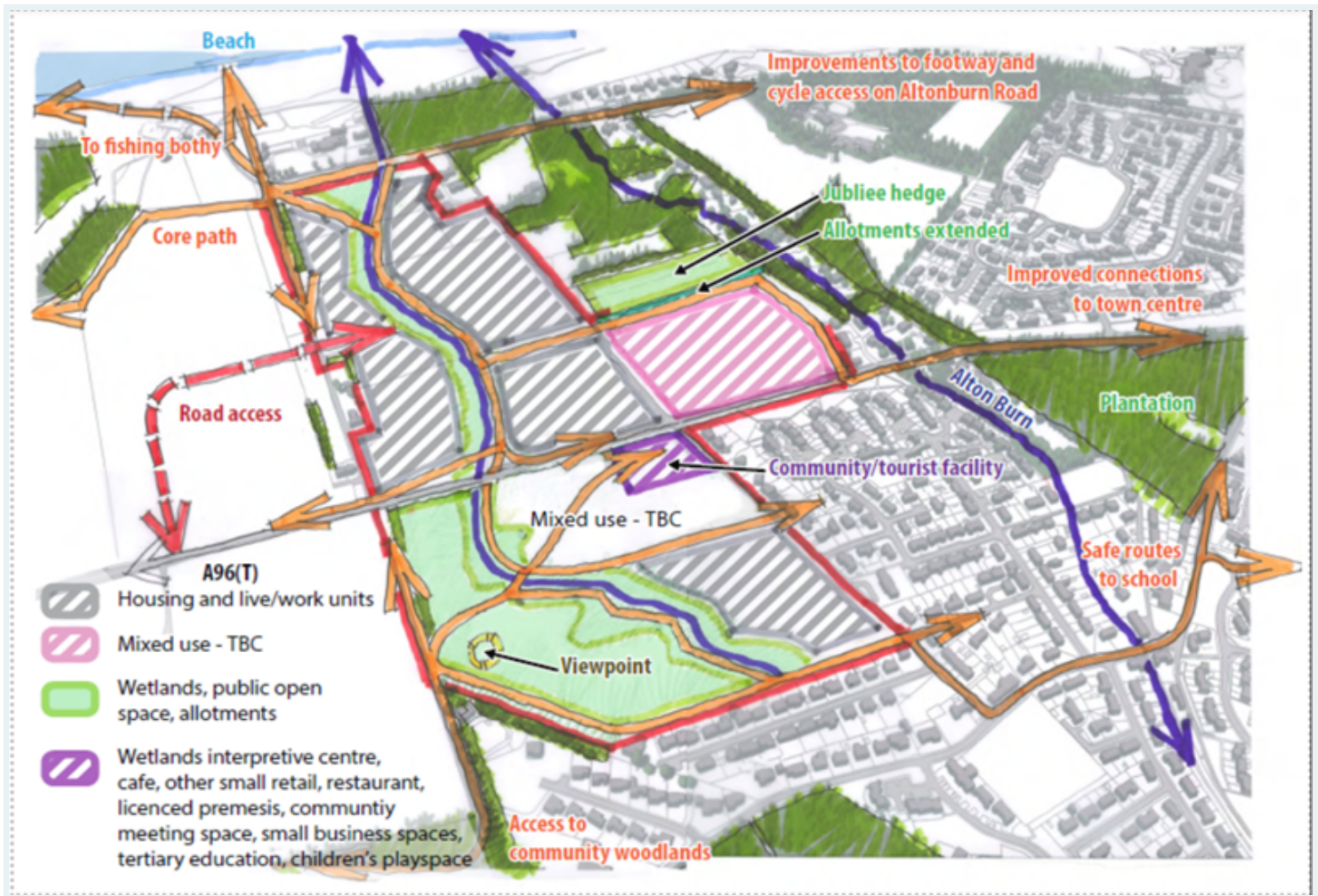
Sandown Development Brief:

[https://www.highland.gov.uk/directory_record/712055/sandown development brief](https://www.highland.gov.uk/directory_record/712055/sandown%20development%20brief)

[https://www.highland.gov.uk/directory_record/712055/sandown development brief](https://www.highland.gov.uk/directory_record/712055/sandown%20development%20brief)

* Required

Did you respond to the original consultation period? *



Yes

No

There are three key areas identified in the Sandown development brief for using the land.

How important do you consider those?

2

How important is the housing element of the development brief:

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

Not important

Very important

3

How important is the community facilities spaces – including shops, wetlands centre, children’s play space, meeting space

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

Not important

Very important

4

How important is the green space element – including wetlands, public open space and extended allotment provision:

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

Not important

Very important

Sandown Development Brief - Balance of Housing/Wetlands/Green Space

5

To what extent do you agree with the balance of housing/wetlands/green space as outlined in the Sandown Development Brief?

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

Strongly disagree

Strongly Agree

6

Please explain what you agree or disagree with in the above question?

7

What would you wish to see included as part of any future development that **is not covered** by the contents of the Development Brief?

8

What are your views on the proposed disposal of this piece of Common Good land?

Do you have any views on potential benefits, do you have any issues or concerns arising from the proposal?

9

Do you have any proposals for use of Sandown Lands that have not already been raised within the consultation process or are covered in the Development Brief?

10

Your full name

Please note - You can submit an anonymous response to the consultation, however if you do we will not be able to provide you with a response to any comments you have made

11

Email address

Privacy Statement can be found at the link below.

By clicking submit, you agree to the privacy statement below:

https://www.highland.gov.uk/directory_record/1631270/sandown_land_nairn
(https://www.highland.gov.uk/directory_record/1631270/sandown_land_nairn)

This content is neither created nor endorsed by Microsoft. The data you submit will be sent to the form owner.

 Microsoft Forms

Appendix 3

<p>1</p>	<p>Analysis of representations made</p> <p>This document presents a combined analysis of consultation representations received to the questions in the surveys used in both the initial and additional consultation periods.</p> <p><u>Initial consultation period - key questions:</u></p> <ul style="list-style-type: none"> • What are your views on the proposed disposal of this piece of Common Good land? • Do you have any views on potential benefits of the proposal? • Do you have any issues or concerns arising from the proposal? • Do you have any additional comments? <p><u>Additional consultation period - free text questions</u></p> <ul style="list-style-type: none"> • To what extent do you agree with the balance of housing/wetlands/green space as outlined in the Sandown Development Brief? • What would you wish to see included as part of any future development that is not covered by the contents of the Development Brief? • To what extent do you agree with the balance of housing/wetlands/green space as outlined in the Sandown Development Brief? • Do you have any proposals for use of Sandown Lands that have not already been raised within the consultation process or are covered in the Development Brief? <p>The representations received have been grouped into 5 themes below:</p> <ol style="list-style-type: none"> 1. Housing Provision 2. Infrastructure 3. Nairn Common Good 4. Green Space 5. General reluctance to sell / dispose of Sandown
<p>1.1</p>	<p>Summary</p> <p>The representations received across those 5 themes can be summarised as:</p> <p><u>Housing Provision</u> – The representations received contained a strong voice against the current balance of land use contained within the Sandown Development Brief. However suggestions contained in the representations for future affordable/social housing provision indicated that using empty houses and flats in Nairn and town centre or on land which became available following the completion of the A96 bypass could provide alternative housing development locations to Sandown. There were also representations which encouraged affordable self-build plots with eco credentials as part of the Development Brief reinforcing a reoccurring green theme to the representations received. There was also strong feeling that the Development Brief needed refreshed to take account of revised housing need and demand following recent new build completions in Nairnshire since the Development Brief was completed. The strongest view of all received in relation to housing provision was that development of housing on Sandown should not be considered until proposals for the A96 bypass are finalised.</p> <p><u>Infrastructure</u> – As shown above the representations received contained a significant number of voices urging the completion of the infrastructure around an A96 bypass before the consideration of any development on the Sandown Lands fearing that a failure to do so would compound existing traffic flow problems through Sandown to Nairn on the A96. There was also strong support in the representations received for the development of renewable or green energy projects on the Sandown Lands which asked that the potential for community renewable</p>

	<p>schemes on Sandown to be explored as part of any future land use considered. Models of energy project suggested included ground source heat pumps and an electricity generating solar farm.</p> <p><u>Nairn Common Good</u> – There was strong support in the representations received that any future use for or disposal of Sandown Lands must have a focus on the development of the Nairn Common Good Fund (NCGF). There was a strong voice for any capital receipts or revenue generated from future land sale or use to be focused on development of an income stream for the Nairn Common Good Fund that could be used to support community activities or provide support for charitable organisations working in Nairn</p> <p><u>Green Space</u> – The representations received contained a great deal of comment showing support for developed community use of the green space at the Sandown Lands with a range of potential options for this provided by the respondents. This was very much a key feature of the second phase consultation. Some respondents took this theme further still suggesting that ‘Community Supported Agriculture’ or community food growing on the Sandown Lands would develop resilience in the food system and could facilitate wider community-based projects. There were a great number of suggestions in the representations received for varying community green space uses at Sandown including country paths, walks, tree planting projects with added value of creating a carbon sink. There were also a number of respondents that believed that this type of use would enhance the already attractive west entrance to Nairn.</p> <p><u>General reluctance to sell / dispose of Sandown</u> There were strong views expressed within the representations received that the Development Brief is no longer representative of the need in Nairn and suggesting that a lot has changed since the Charrette in 2012 on which the Brief was based, such as the planned bypass, housing development at Nairn East and the pandemic which reinforced the importance of green space for health and mental well-being. On that basis there was encouragement in the representations received for a wider range of options to be debated before any plans or recommendations are finalised and there were also views that engagement with groups across the community would be important to ensure a wide range of views and input was achieved. There were also some views in the representations received that the building of A96 bypass was likely to raise land values in Nairn and that any Land sales should not take place before the A96 bypass is in place or finalised to avoid selling the Sandown Lands in an uncertain market.</p>
2	Themed Representations Received
	The following provides a summary of main representation themes received.
2.1	Housing Provision
	<p>If houses are to be built, we need innovative solutions not simply more of the same.</p> <p>If houses and shops are to be built, they should be on field to south of A96 with the field to the north being left as nature reserve, wetlands or farmland.</p> <p>There are empty houses and flats in Nairn and town centre that could be used rather than building more houses.</p> <p>Extra housing is not needed due to the Lochloy and Nairn East developments. There is already too much development.</p>

	<p>Social housing rather than affordable. What type of housing is actually needed should be explored before approval to sell is sought. More executive homes are not needed. All housing to be social as locals cannot afford to buy due to incomers putting the prices up.</p> <p>Consider self-build plots with eco credentials rather than sale to single developer who will build harled, white boxes. Any development should be in keeping with the surrounding properties. Why do the council think now is the correct time to sell given the current property market boom and the effect the bypass will have on property prices?</p> <p>Highland Council's statutory duty to provide social housing for the community should be the only option on land owned or purchased by the council to meet their obligations. There are town centre buildings that could be brought back into use as housing.</p> <p>Selling the land is not of long term benefit. Can the Council go into partnership with a housing association and retain rights to the land?</p> <p>Before any development of Sandown is considered, a strategic plan for the development of Nairn as a whole needs to be produced. Nairn could be developed as the coastal resort for Inverness and be uniquely placed to provide mixed development. Sandown would be the ideal location for housing that would appeal to the aspiring and affluent that such a development would attract.</p> <p>Since the Charette, significant housing has been approved at Kingsteps so does the same need for housing exist?</p> <p>Current Scottish government policy is to redevelop, renovate or purchase town centre property not develop greenfield sites on the edge of town. No allowance has been made for available and consented alternative sites for affordable housing in and around the town.</p>
2.2	Infrastructure
	<p>There is not enough infrastructure to support more housing – sewage system, schools, doctors, traffic management, bypass need sorting first.</p> <p>Currently everyday traffic flow is heavy, a large development at Sandown will compound this.</p> <p>The Charrette for the Development Brief was undertaken 10 years ago and there have been a lot of changes in the local area – for instance the proposed dualling of the A96 and new bypass. Any proposal for Sandown should not go ahead until the position regarding these road projects are clearer.</p> <p>Infrastructure, traffic management issues are not included in the current proposal. Housing on the scale envisaged is not needed and will overload the already struggling services. Sandown Farm Road and Altonburn Road are very narrow and barely cope with existing traffic.</p> <p>Provide community renewable schemes on Sandown and/or ground source pumps for community areas.</p> <p>What about using for a solar farm to generate electricity or ground source heating system.</p> <p>Any development should not include shops – the High Street is an eyesore with buildings not looked after and empty. Development of the High Street is needed.</p>

	<p>Upgrade junction of Sandown Road to A96. Improve crossings on A96. The plan showing the connection from site to safer routes to school path is not clear and does not look particularly safe or convenient.</p> <p>Road enhancements to cope with extra traffic and a new primary school. Infrastructure needed.</p> <p>Develop it further for leisure use for the people of Nairn as originally intended.</p> <p>If a bypass was built, it might be appropriate to develop the lands.</p> <p>No alternative options provided, no further extensive community consult on choices. This is a proposal to sell in entirety only. What about part sale for small development only, solar panels or use for school?</p> <p>It has to work for Nairn and bring social and economic benefits to town. It should not be just a satellite settlement like Tornagrain, Milton of Leys, Lochloy etc with cursory community spaces and poor transport and social infrastructure.</p> <p>Once it is gone, it is gone and a valuable asset is lost to the people of Nairn, forever. It is short sighted. Yes, there is a housing shortage, but we need social housing and sheltered housing; not selling off our land to the highest private bidder for a huge housing estate at the entrance to this beautiful village. Plant trees, plant an orchard, make a ground-breaking community asset where renewables generate power for the village, have allotments, plant a forest. Make a future for our youth to be proud off.</p>
2.3	Nairn Common Good Fund
	<p>Sales fund of £6-7m could be useful for town but with careful stewardship. Nairn needs substantial annual funds so CGF can support activities in Nairn.</p> <p>Funding for community activities in Nairn, support for charitable organisations working in Nairn</p> <p>There is a need to ensure any income and assets from Nairn Common Good benefit the Nairn community – be it providing new facilities, new opportunities for local business/enterprise, setting up new events, grants to local groups or renovating/refurbishing existing areas of the town.</p> <p><i>(the consultation contained)</i> No specific proposals for how any money received would be spent.</p> <p>The lands could be used for projects to provide sustainable employment or projects that would add value to Nairn as a contemporary tourist destination.</p> <p>The Common Good Fund could be managed better to unlock potential funds by raising rents & selling off smaller areas/buildings etc so that a grant fund can be established.</p> <p>It would be better used as a community resource which could be structured in a way to provide continuous funds for Nairn and provide real development opportunities for Nairn people.</p>
2.4	Green Space
	<p>Selling arable land for housing is short sighted when we may be facing food shortages due to climate change and need to produce more at home</p>

Mixed use of Common Good land is an admirable idea – would the Council support excluding part of the land for Community Supported Agriculture? This would address concerns about sustainability and resilience of the food system and allow for community based control and ownership of part of the food system.

Leave it alone. Keep it as open space. Increase the allotments. Covid has shown that green space is important/needed. It should be retained for the use of the people of Nairn. Wetlands and associated wildlife are very important to the area and should be protected – housing will destroy this. The area is greatly used by the community. It is a beautiful view which will be lost to anyone entering the town from the west.

Redevelop it as a leisure space with better uses so it can be enjoyed – sports facilities, cross country paths, walks, tree planting. Forests and green space to create a carbon sink that will help offset traffic pollution.

Well managed community assets give residents a sense of belonging

Account should be taken of the environmental benefits which could be created for instance with a community woodland, playing fields, open spaces and similar amenities.

Develop site as a new 3-18 school with state of the art sports facilities also available for community use The current development brief is not good and needs more discussion retain the land as a community asset. Wetlands should be fully protected, and a limited number of mid-market and affordable housing provided. The site should not be used for any form of supermarket. The old school site could be redeveloped for housing.

Whilst the wetland/green space and tourist space aspects of the brief would be of benefit, the development of these aspects would not require the disposal of Common Good land.

Sandown is a popular green space and an attractive entrance to the town. It promotes health and wellbeing; fights climate change allows food growing and counteracts loss of wildlife.

There are many recreation/tourism options that do not include housing – allotments are already there and are to be expanded, other orchard sites, wetlands area and visitor centre, small plant nursery etc.

Land is used for agriculture in summer and recreation by people of Nairn in winter. It has been used this way for many years and its use should be preserved. There is a great range of wildlife on site

North side should be kept as a community asset and turned into a family park with paths and cycle paths to the coast. It would attract visitors to Nairn.

I would support Sandown Lands being used for projects to benefit the community, for example riding for the disabled, gardening projects for people with mental & physical disabilities, park for adults and children to enjoy etc. It would be good if individual groups would apply to Council with ideas for consideration.

Our preferred option would be to retain it as green space. The bypass will free up land for development.

	<p>Suggestions for land to south of A96 Create a recreational facility – wetland/wildlife area with dog walking, maybe small stable with livery and riding with rest of land being used for orchards.</p> <p>Suggestions for land to north of A96 Leave as they are for agricultural use or maybe a community farm. This would benefit the environment and provide opportunities for exercise.</p> <p>Long term benefits of environmentally sound projects would be better than creating more grey, featureless schemes for small cash gain and prospect of income from council tax.</p>
2.5	General reluctance to sell / dispose of Sandown
	<p>A wider range of options should be publicly debated before any plans or recommendations are put forward.</p> <p>Land should not be sold off at this time. There may be an argument to sell some of the land in the future, but the greater part should be kept as green space rather than the volume and density proposed.</p> <p>A lot has changed since the Charrette in 2012 on which the Brief is based – planned bypass, development at Nairn East and the pandemic indicating the importance of green space for health and mental well-being of the community.</p> <p>Land should not be sold in one go. Perhaps smaller sections could be developed for housing to enable other bits to be put to better use for the common good.</p> <p>Sale may not get the best value for the common good, but timing would be crucial. There should be full communication with the community. This does not mean engaging with the community councils – they do not genuinely represent the community.</p> <p>The use of Sandown Lands should be put to the people of Nairn to make suggestions. The current development brief is not good and needs more discussion.</p> <p>Community cannot comment without more information – earning power, lease options, investment proposals, timeline, alternate scenarios.</p> <p>The factors behind such a plan are referred to in the consultation paper but nowhere is there any detail provided. The public, in my opinion, are not adequately informed by that paper - another reason why a new consultation process with a proper development brief to follow is required. The plan identifies area for public use and connected activities – it would be best to keep these areas as part of the Common Good. It does not address a part disposal of the land.</p> <p>Since the first consultation there have been several initiatives to further encourage community land ownership and control. The Scottish Land Commission, HIE and the coming Land Reform Act are all firmly of the opinion that this is the way to ensure good management and economically sustainable use of land.</p> <p>Supportive of proposal to develop at least specific parts of Sandown but proposal should be based on a full final development proposal which has been presented and agreed in the framework of a public consultation.</p>

	Why sell in uncertain market when building of A96 bypass is likely to raise land values in Nairn
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