

Call for Holyrood to back courthouse takeover bid

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A BID has been launched by Highlands and Islands MSP John Finnie for the people of Dornoch to be handed back at minimum cost their soon-to-close local courthouse.

The building is to close next month, with its cases instead being handled at Tain, as the result of moves by the Scottish Court Service (SCS) to address rising costs and low levels of court business throughout the country.

Now Mr Finnie is backing moves by local councillor Jim McGillivray, who has attacked the decision to close the court, describing the move as "asset stripping". He has pointed out local people were largely responsible for providing the court in the 1800s and they should not have to pay for repossessing it.

While the closure has been met with widespread opposition throughout east Sutherland, with it becoming clear the

closure would go ahead, the Dornoch Area Community Interest Company has been drawing up a bid to take over the building under Right to Buy legislation.

Its members have now informed Scottish ministers they will proceed with an attempt to buy the historic building in Dornoch's Square and are currently considering how best it might be put to use in the future.

And the process has now moved into its next stage which involves ministers appointing a valuer who will report back in a few weeks' time on the commercial value of the building.

Under the Right to Buy legislation the community would, however, have to raise a proportion of the cost.

But Mr Finnie has stepped in to investigate whether this can be waived.

He has been probing the legal details of the building's transfer to the SCS in 1995 as part of the devolution process.

In a letter to SCS chief executive Eric McQueen, he asked if the relevant

certificate was ever attached to the title of Dornoch Sheriff Court.

It concludes: "If SCS received ownership of the building at no cost, why should any cost be attached to passing title back to a local community body, effective inheritors of the responsibilities of the Dornoch Burgh Council who provided the funding from the Common Good Fund in the 19th century to construct the building, and who now seek to use the building for municipal purposes for the benefit of the local community?"

In his reply, Mr McQueen says: "All court property was transferred to the Scottish Court Service on April 1, 2010, as a result of the Transfer of Property (Scottish Court Service) Order 2010.

"It is that order, rather than a certificate - which would be evidentiary only - which effected the transfer. It is normal such certificates are only produced when required for the purpose of a sale or lease. "As you will appreciate, the court service has to take into account the extremely

difficult and challenging climate which it, and the public sector more generally, is facing.

"Capital receipts from the sale of Dornoch Sheriff Court will be used to help improve the remaining estate and our court services for the benefit of all who use it."

Mr Finnie told the *Northern Times*: "I commend the Dornoch community's wish to take ownership of their sheriff court and have been happy to assist local councillor Jim McGillivray in clarifying the legal background to ownership of the building.

"The SCS clearly view the Dornoch court as a saleable asset and one which I'm sure they'll say Treasury guidelines oblige them to maximise.

"I acknowledge these are testing times for Scotland's public sector and sale on the open market may seem simple.

"However, the Scottish Government supports increased community ownership and I am calling on them to support

Dornoch in securing the court building for the benefit of the local community.

"I have written to the Cabinet Secretary for Justice asking that he and the SCS make this local asset available to the community, failing which he identifies funding which would assist Dornoch as other communities have been assisted."

Mr McGillivray said: "In 1849 the Commissioners of Supply, who were in charge of such matters, put out to tender the construction of the courthouse and the best came back at £2500.

"This was raised by the people of Dornoch, as well as from their own Common Good Fund from its land holdings in the town.

"There should therefore be no charge for them repossessing what is by right theirs.

"While I sympathise with the SCS, it is not my job to make their life easy.

"It is my job to defend the interests of the well-behaved and hard-working people of Dornoch."