1. It would seem that in the process of summarising the proposal, some misunderstandings have crept in—

2. Clarity: the present position is that all grants are conditional and the conditions are clearly set out in the grant award document; invariably the making of a grant is conditional on public access, continued maintenance, insurance etc. It is also made clear that Scottish Ministers have the right to recover (from the person who received the grant) if the property is sold within 10 years of the making of the grant.

3. Recovery of grant money: currently, Scottish Ministers have the right to recover up to 100% of the full grant in all cases if the property is sold within 10 years after the giving of the grant. What is proposed here (as I understand it) is a change not to the principle of recovery, but a clarification of what may be recovered, namely the full amount of the grant less 10% for every year which elapses between the making of the grant and sale of the building by the person to whom the grant was made. So if a building were say sold after 7 years, Scottish Ministers would recover 30% of the grant.

4. Who is liable? We appear to have been labouring under a misapprehension here: the proposal is not to make grants recoverable from buyers, nor to make the grants a burden on the property. Both ideas are well understood to be impractical for (amongst others) the reasons that we gave in our response. So our worries on that score are groundless, as no proposal to recover from buyers has in fact been put forward.

Sally Hampton
Co-ordinator
13 September 2010