



Falkirk Council
Place Services

Asset Transfer under the Community Empowerment (Scotland) Act 2015
Decision Notice – Agreed
Polmonthill Community Snowsports Centre
(Company Number CS006751, Charity Number SC053161)

To:



This Decision Notice relates to the asset transfer request made by:

Polmonthill Community Snowsports Centre in relation to **Polmonthill Ski Centre, Polmont, Falkirk, FK2 0YE** as shown on the attached plan.

At its Executive Committee meeting on **28 November 2024**, **Falkirk Council** decided to **agree** to the request.

The reasons for this decision are as follows:

The Council is satisfied that the transfer of **Polmonthill Ski Centre** will support community empowerment, enable future investment and deliver significant benefits including positive health and wellbeing outcomes.

Principal Heads of Terms

- (1) The Council will transfer ownership of **Polmonthill Ski Centre** to **Polmonthill Community Snowsports Centre**;
- (2) The disposal price for the property will be **£1** reflecting the benefits that will derive from the project;
- (3) The disposal will be subject to any existing burdens or restrictions in the Council's title;
- (4) Each party will be responsible for their own legal expenses in connection with the transfer but the applicant will meet the costs of any necessary outlays incurred, for example copy deeds, property searches, plan reports, coal mining reports, property enquiry certificates and others; and

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Falkirk Stadium
Stadium Way
Grangemouth
Falkirk
FK2 9EE
Telephone: 01324 506070

www.falkirk.gov.uk

- (5) Falkirk Council will retain a right of first refusal over the property in certain specified circumstances, as follows: -:

In the event that (1) the property is to be sold or otherwise disposed of by Polmonthill Community Snowsports Centre, (2) Polmonthill Community Snowsports Centre is wound up or (3) Polmonthill Community Snowsports Centre no longer use the property for the use proposed by them or a use which is substantially the same, the Council will be entitled to the option of first right of refusal to reacquire the property. Such right to reacquire the property shall be for the same price for which it was transferred by the Council to Polmonthill Community Snowsports Centre or such other price as is considered reasonable in all of the relevant circumstances by the Director of Place Services. The right of first refusal to reacquire the property shall not, however, operate in the event of a sale, disposal or transfer by/from Polmonthill Community Snowsports Centre to another charitable body which has objectives which are substantially the same as those of Polmonthill Community Snowsports Centre and which would result in the property continuing to be used for a use which is substantially the same as the use proposed by Polmonthill Community Snowsports Centre.

The Principal Heads of Terms above are not exhaustive terms and conditions of the prospective **transfer ownership of Polmonthill Ski Centre** and associated land to you. The said Principal Heads of Terms are not intended to form part of any legally binding contract and are expressly subject to completion of formal legal missives in accordance with Scots Law.

If you wish to proceed, you must submit an offer by **18 June 2025**. The offer must reflect the terms and conditions contained in this document and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer within a reasonable time.

The offer must be prepared by a firm of solicitors and should be addressed to:

**Chief Governance Officer,
Falkirk Council,
The Foundry
4 Central Boulevard
Larbert
FK5 4RU**

The offer also must contain the following:

1. The name of the subjects on which the offer is made
2. The name of the Community Transfer Body
3. The date of the Decision Notice
4. Confirmation that offers of grant/funding will be in place at point of transfer
5. Confirmation of permissions (planning, environmental etc) in place and any that remain outstanding at the time of offer
6. Confirmation that the specific terms and conditions under which the Decision Notice was issued are acceptable.

Right to Review

If you consider that the terms and conditions in this decision notice are significantly different to those in your request, you may apply to the Council to review this decision.

Any application for review must be made in writing to:

Malcolm Bennie
Director, Place Services
Falkirk Council
Falkirk Stadium, 4 Stadium Way
Falkirk, FK2 9EE

by **21 January 2025**, which is 20 working days from the date of this notice.

Your application for review **must** -

- specify the land to which the asset transfer request relates; and contain the following: -
- The name and contact address of the community transfer body;
- A statement setting out your reasons for requiring the review, and all of the matters which you want to raise in the review; and
- A list of documents and other evidence supporting your request for review (along with copies of any which have not already been submitted to the council).

Your application for review **may** also include a statement saying what procedure you consider the council should use to conduct the review, e.g. whether there should be a hearing or a site visit. For the avoidance of doubt, the Council is not bound to follow your preferred procedure.

Further guidance on making an application for review is available within the Sections 17 and 18 of the Scottish Government's Community Empowerment (Scotland) Act 2015: Community Transfer Bodies' Guidance, published on 23rd January 2017 and available online via this link [Guidance on Decision Notice Review Process](#)

Yours sincerely,



Paul Kettrick
Head of Investment, Assets and Climate
Place Services
Falkirk Council
4 Stadium Way, Falkirk
FK2 9EE