

Our ref: CATS17-18-03

Forest Enterprise Scotland

Silvan House
231 Corstorphine Road
Edinburgh EH12 5EH

Tel 0300 067 6000

Simon.Hodge@forestry.gsi.gov.uk

Simon Hodge
Chief Executive

ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT ACT

COMMUNITY ASSET TRANSFER SCHEME FOR THE NATIONAL FOREST ESTATE

DECISION NOTICE - AGREED

To: VALLEY RENEWABLES GROUP

2 Buckieburn, Carron Bridge, Denny, Stirlingshire, Scotland FK6 5JJ

28 February 2018

This Decision Notice relates to the asset transfer request made by Valley Renewables Group on 14 December 2017 in relation to 21.3 ha at the entrance to the Carron Valley Forest from the B818 (Denny to Fintry) Road.

Forest Enterprise Scotland has decided to **agree to** the request.

The reasons for this decision are as follows:

- the community in the Carron Valley area have no access to community facilities so the community woodland will provide a focus for community activities, such as woodland management, timber harvesting including support for home heating to help reduce local fuel poverty, and for community events with woodland walks and adventure trails;
- Valley Renewables Group have committed to investing their own funds to improve the recreation facilities on the site, to support the long-term running costs and to build community capacity through training and participation;
- the development of a shared management agreement will help deliver a coordinated vision for the visitor experience and welcome at the Carron Valley.

The attached document specifies the terms and conditions subject to which we would be prepared to **transfer ownership** of the land to you. If you wish to proceed, you must submit an offer to us at the address above by **28th August 2018**. The offer must reflect the terms and conditions attached, and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer within a reasonable time.

Right to appeal

If you consider that the terms and conditions attached differ to a significant extent from those specified in your request, you may appeal to the Scottish Ministers.

Any appeal must be made in writing by **28th March 2018**, which is 20 working days from the date of this notice, to:

Community Land Team
D Spur
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD

Email: CRTB@gov.scot

Guidance on making an appeal is available at
www.gov.scot/Topics/People/engage/AssetTransfer.

TERMS AND CONDITIONS

The terms and conditions subject to which we would be prepared to transfer ownership of 21.3 ha at the entrance to the Carron Valley Forest from the B818 (Denny to Fintry) Road to Valley Renewables Group are:

1. The indicative sale price is £82,000 net of £15,000 discount and exclusive of any fees and/or taxes. The final agreed sale price is subject to a joint DV valuation update and in calculating this price the discount is not to exceed £15,000.
2. Heads of Terms for a management agreement between FES, VRG and Clan Ranald should be in place prior to the transfer, including inter alia signage, car park charging, future event car parking, catering, mountain bike route and any other relevant management issues;
3. VRG will be required to put in place/agree a Long Term Forest Plan and commitment to this must be confirmed;
4. FES will retain control of deer management for Carron Valley Forest including the Community Woodland;
5. FES will retain ownership of the unsurfaced forest road with VRG paying a share of maintenance on an 'as used' basis;
6. A clawback agreement in case of any uplift in land value due to commercial or residential planning permission (not including any proposed community hub) this will be on standard FES terms of 50% of any uplift in value for a period of 15 years;
7. A right of pre-emption in favour of FES should the land (in whole or part) be offered for re-sale;
8. The right to reclaim the discount if the community benefits are not realised for a period of 5 years following date of transfer.

Making a Legal Offer Under the Community Asset Transfer Scheme

If you wish to proceed, you must submit an offer via Registered Post to us by **28th August 2018**.

Under Scots law the offer must be prepared by a firm of solicitors, and the offer should be addressed to:

Head of Acquisitions and Disposals
Forest Enterprise Scotland
Silvan House
231 Corstorphine Road
Edinburgh EH12 5EH

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 available 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.

An appeal process to the Scottish Ministers is available for any request to extend the deadline for an offer to be received or completion dates and further details on this may be found Guidance on making an appeal is available at www.gov.scot/Topics/People/engage/AssetTransfer. Any appeal must be made in writing by **28th March 2018** to the address given in the Decision Notice above.

Following receipt of the formal offer it is expected that the asset transfer will be concluded within 6 months. If Valley Renewables Group cannot conclude the transfer within 6 months then a request for an extension should be made as soon as possible.