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Ms Dawn Telford,
Dundonald Gymnastics Club,
4 Esk Road,
Troon,
KA10 7EH

22 September 2020

**Muirhead Activity Centre, Central Avenue, Troon, KA10 7AZ: Asset Transfer
Appeal**

Dear Ms Telford,

I refer to Dundonald Gymnastics Club's application for appeal under section 88 (2) of the Community Empowerment (Scotland) Act 2015 (the "Act") relating to the asset transfer request in respect of the Muirhead Activity Centre and adjoining car park, Central Avenue, Troon, KA10 7AZ from South Ayrshire Council made under section 82 of the Act. In line with Scottish Government guidance, Scottish Ministers appointed an independent Reporter to consider the case and report to them.

The Reporter took account of an asset transfer request from Dundonald Gymnastics Club dated 7 February 2019 and South Ayrshire Council's decision to refuse the request on 11 June 2019. Also considered were Dundonald Gymnastics Club request for a review on 23 July 2019 and South Ayrshire Council's decision to confirm its original decision dated 16 January 2020, and Dundonald Gymnastics Club's appeal submission dated 12 February 2020. The Reporter considered key documents associated with all aspects of this process, and assessed the request against criteria set out in Section 82 of the Act; Scottish Government National Outcomes; best value themes; and matters relating to assessment of outcomes.

I would like to thank Dundonald Gymnastics Club for providing the necessary information for the purposes of the appeal. This work has now concluded and I have been provided with the Reporter's final report of the Muirhead Activity Centre and adjoining car park site, outlining their findings and conclusion.

Scottish Ministers accept the findings and recommendations of the Reporter, and for the reasons set out in their report, dismiss the appeal and refuse the asset transfer request.

I understand that you will be disappointed by this decision given the hard work and effort involved in coordinating all the required information for your application, but I hope that you have gained some positive benefits to engaging with the asset transfer request process, and that this decision does not discourage you from considering any future asset transfers.

There are other options you may wish to consider such as determining if there are any other suitable areas of land or buildings that could meet your needs and you may wish to consider registering your group's interest in these.

We will publish the attached report provided to Scottish Ministers by the Reporter, and this will be made publically available on the Scottish Government's Community Empowerment website within one week of the date of this letter.

Individuals unhappy with the decision made by the reporter may be able apply to the Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ for a judicial review. An application for judicial review must be sought within 3 months of the appeal decision. The reporter's decision can only be challenged on a point of law and you might want to take legal advice before considering this option. For more information on challenging decisions made by Reporters please see:

<http://www.gov.scot/Topics/Built-Environment/planning/Appeals/ourperformance/commentsandcomplaints>.



Aileen Campbell
Cabinet Secretary for Communities and Local Government

Copied to:

Sarah Baird, South Ayrshire Council

Interested parties:

Frances Carson
David Carson
Anne Cameron
Cllr Craig Mackay
Gordon McGinn
Cllr Phillip Saxton

Iain & Rita Ferguson
Lionel Marks
Ian McCreath
David O' Neill

Anne MacGibbon
Robert Milligan
Loretta Watson