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Ronald Hinds, Chief Executive
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Friday 7th September 2007
By E-mail and first class post

Dear Sir,

Pitreavie Playing Fields.

I am currently researching common good assets in Dunfermline and the Carnegie Dunfermline Trust's disposal of assets and the above playing field is something that may fall into both categories.

As I understand it the land on which the Pitreavie playing fields are situated were bought by the Carnegie Dunfermline Trust in several stages, 29.341 acres was purchased on 10th March 1931, and a further 12.575 acres on 1st May 1947. The Pavilion was opened by Mrs Carnegie in 1934. Over a period of years up to 1962 the approx. 42-acre site the Trust spent in the region of £60,000. on the property which represented only a fraction of the value of the playing fields at that time.

In 1962 the Trust agreed to gift the playing fields to the Fife County Council on very specific terms, which were designed to ensure that the facilities at Pitreavie would continue to be used for the purposes of the sport and recreation of the people of Dunfermline.

On September 27th 1963 the Trust made good on their promise and gifted the approx. 42 acre Pitreavie Playing Fields to the Fife County Council, on condition that it be made available to schools, clubs, and groups of individuals in Dunfermline and district. The Trust retained a right of reversion over the property in the event that the County Council failed to administer the leisure and sports facility to the common good benefit of the people of Dunfermline.

In September 2001 Fife Council successors to Fife County Council leased ???? acres of the Pitreavie Playing Fields for 60-years to Carnegie Sport and Hospitality Ltd, part of the Murray International Group. Grant Ward of Fife Council gave assurances that the playing fields would not be lost to the people who used them when he stated in the Dunfermline Press of 3rd September 2001, "This is the first agreement of its kind in Scotland and we've taken a cautious approach in dotting the i's and crossing the t's."

On August 22, 2002 the Carnegie Dunfermline Trust granted a Minute of Waiver to Fife County Council in respect of certain conditions regarding the use of Pitreavie in the Feu Charter, which made the gift of Pitreavie. The total area of Pitreavie was given in the Sasine Register as 13.72 hectares or 33.9 acres, which is considerably less than the area of the playing fields. And the area in connection with this waiver was given as I = 29.341, and II = 12.575 acres. Totalling approximately 42 acres.

On 17th June 2003 Fife Council leased 13.72 hectares or 33.9 acres of the Pitreavie Playing Fields to Vida Sports on a 60-year lease commencing 17th July 2002.

A sub-lease from Vida Sports to Carnegie Cricket Club was recorded on 13th November 2003 granting the cricket club a lease of 25-years from 1 Jan 2000 to 31st December 2024 for the sum of £50. per annum.

It was reported in the Scotsman of 10 September 2004, that in December 2003 Murray International Holdings had benefited from the sale of Vida Sports for £16 million.

In October 2004 it was again reported in the Scotsman that David Murray's private investment vehicle Charlotte Ventures had, in 2003, benefited from profits due to the sale the Vida Sports business.

In February 2005 it was reported in the Dunfermline Press that the company running the Pitreavie Playing Fields, Vida Sports,—which had been the subject of a £30 million management buy-out from David Murray's business empire—had gone into administration. Fife Council's Grant Ward again reassured the people of Dunfermline that safeguards put into the original contract meant that the site could revert to the council if a new operator was not found. Fife Council appeared to have adopted safeguards identical to those of the Carnegie Dunfermline Trust to ensure that if the site manager/tenant or leasee failed to administer the leisure and sports facility in the common good interests of the people of Dunfermline the property would revert to the council.

Between February 2005 and September 2006 the playing fields appears to have been transferred from Vida Sports (in administration) to Powerleague plc. who it was reported on a BBC news website, handed over running of the five-a-side complex to Dunfermline Athletic F.C. who had bought the 50-year lease of the site.

Dunfermline Football and Athletic Company—or as reported in the press their football trust Dunfermline Academy—would appear to have taken over the site on 22nd September 2006 and registered their purchase on 10th November 2006, with the Sasine Register for a consideration of £245,000. or £4,900 per annum.

I would be obliged if you could advise me of the accuracy of my understanding of events with regard to the Fife Council's involvement in the above transactions?

My reason for making such a request is that I am concerned that there is a danger that the Pitreavie Playing Fields might become a private and selective concern not readily accessible to the people of Dunfermline. There is also the risk that a change of the land ownership might at some stage take place having the effect that part, or all of the

playing fields, might be taken out of public ownership. For these reasons I would be obliged if you could provide some clarification as follows:

I would also ask you to advise me as to whether or not the gifting of the playing fields by the Carnegie Dunfermline Trust to Fife District Council and the conditions attached to this gift in 1963 would categorise the property as being a common good asset?

I have already asked this question of Andrew Ferguson of Fife Council December 2005 and Michael McArdle responding failed to answer, but instead stated that the property had never featured on the register of common good assets. Mr McArdle stated that the Pitreavie Playing Fields: *“are held on the Community Services account. We have no other information to suggest that the playing fields are part of the Common Good account.”*

Of course many of the common good assets of the former Burghs do not feature on Fife Council’s register of common good assets, which by the council’s own admission is not a completed task, but rather a work in progress. Therefore I would again ask the question: Is the Pitreavie Playing Field, by virtue of it’s nature and history a common good asset, and as such a property that should have been on the common good register of Fife Council?

So that I can see if my concerns that the playing fields may be taken out of the peoples reach are well-founded or otherwise, I would also ask you to provide me with full details of the past and current leases to any party at Pitreavie Playing Fields since 2001, and when any transfer or sale of such leases took place?

Thanking you in anticipation of your assistance.

Yours sincerely,

Tom Minogue.