

STIRLING COUNCIL**THIS REPORT RELATES
TO ITEM 25
ON THE AGENDA**

STIRLING COUNCIL**CHIEF EXECUTIVE**

1 MARCH 2012**NOT EXEMPT**

KING'S PARK, STIRLING – ACQUISITION OF ADDITIONAL LAND

1 SUMMARY

- 1.1 The Council has previously agreed the acquisition of various areas of land at King's Park, Stirling from the Crown Estate. An opportunity has now arisen to acquire all of the remaining land in the ownership of the Crown Estate at King's Park, Stirling.
- 1.2 This report gives details of the terms of the proposed acquisition of the additional land and seeks a Council decision on whether or not to proceed with this acquisition.

2 OFFICER RECOMMENDATION(S)

It is recommended that the Council consider the proposed terms of acquisition of additional land at King's Park, Stirling from the Crown Estate and determines whether or not to proceed with this acquisition.

3 CONSIDERATIONS

- 3.1 The Council has previously agreed to acquire various areas of land at King's Park, Stirling from the Crown Estate. These areas include King's Park itself, the King's Park Golf Course, the Castle Back Walk and the Gowan Hill. The terms of that acquisition are detailed in the various previous Council decisions and reports referred to in Section 5 of this report. That acquisition has not yet proceeded to completion for a number of reasons, not least the impact of the credit crunch and economic recession. However, in discussions with the other parties, the Crown Estate and Stirling Golf Club, a revised deal has been now agreed that should now allow the original acquisition to proceed to completion.

- 3.2 At the same time, the Crown Estate has indicated its willingness to sell its remaining land in the vicinity of King's Park, Stirling and terms of acquisition of this land have been negotiated as part of the revised deal referred to in paragraph 3.1. The proposal is that these additional lands, shown on the plan at Appendix 1 to this report, amounting to some 92 acres would be acquired along with the areas of land previously agreed. The price which has been negotiated for this additional land is £417,000 (plus VAT). In approving the acquisition of the original areas of land, the Council agreed to fund its share of the total price from the Stirling Common Good Fund. It is suggested that the price of the additional land, should the Council decided to proceed with this acquisition, could also be met from the Stirling Common Good Fund.
- 3.3 The land in question is agricultural land within the green belt, as such it is not capable of development. However, there are a number of uses to which this land could be put that would enhance the public realm and the amenities of the city. A major piece of work commissioned by the Council's Environment Services in relation to the Council's Open Space Strategy has highlighted the scope to make better use of the landscape heritage of the city, including King's Park, the King's Knot and adjacent lands, the Back Walk and the Gowan Hill. The proposed acquisition would bring all of this land under Council control and facilitate the achievement of these objectives.
- 3.4 In terms of the Council's previous decisions it was proposed that a 'guardian' trust be established to hold the title to the lands at King's Park for the public good in all time coming. This would ensure that inappropriate developments of this land would be almost impossible. The additional lands in question, should the Council decide to proceed with the acquisition, could be included within the scope of the proposed 'guardian' trust or could simply be held by the Stirling Common Good Fund as the Council determines. The public amenity lands in the original land package were to be leased by the 'guardian' trust to an operational trust that would be responsible for management and improvement of the public amenity lands and extending their use for public amenity and recreation. Again, the additional lands could be included within the scope of the proposed operational trust.
- 3.5 The Council is invited to determine whether or not to proceed with the acquisition of the additional lands in question on the terms set out in this report.

4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

Policy Implications	
Equality Impact Assessment	No
Strategic Environmental Assessment	No
Single Outcome Agreement	Yes
Diversity (age, disability, gender, race, religion, sexual orientation)	No
Sustainability (community, economic, environmental)	Yes
Effect on Council's green house gas emissions	No Effect
Strategic/Service Plan	Yes
Existing Policy or Strategy	Yes
Risk	Yes
Resource Implications	
Financial	Yes
People	Yes
Land and Property or IT Systems	Yes
Consultations	
Internal or External Consultations	Yes

Equality Impact Assessment

- 4.1 The contents of this report were considered under the Council's Equalities Impact Assessment process and were assessed as not relevant for the purposes of Equality Impact Assessment.

Strategic Environmental Assessment

- 4.2 The contents of this report were considered under the Council's Strategic Environmental Assessment process and were assessed as not relevant for the purposes of Strategic Environmental Assessment.

Single Outcome Agreement/Strategic Plan

- 4.3 Acquisition of the lands in question will secure their use as public open space/recreation areas in all time coming and will facilitate the achievement of the Council's Open Space Strategy and associated proposals for a City Heritage Park and trails.

Other Policy Implications

- 4.4 None.

Resource Implications

- 4.5 It is suggested that the acquisition price of the additional land in question be met from the Stirling Common Good Fund. The Stirling Common Good Fund currently has reserves of £930k. It should be noted that the additional lands in question are currently subject to short term agricultural/grazing tenancies which the Crown Estate have renewed for another year. These short term leases generate an income which could accrue to the Stirling Common Good Fund, as the Council may determine, and would continue for so long as the Council wishes to renew these leases.

Consultations

- 4.6 The Provost's Panel and the Elected Members appointed by the Council to oversee progress on the acquisition of Crown Estate lands at King's Park have been consulted on the terms of this report.

Council and Executive Only	Tick () to confirm
The appropriate Portfolio Holder(s) has been consulted on this report	(SF)
The Chief Executive/appropriate Assistant Chief Executive(s) has been consulted on this report	(BJ)

5 BACKGROUND PAPERS

- 5.1 Reports to Council dated 29 October 2009, 17 November 2008, 24 January 2008, 4 October 2007 and 14 December 2006 and minutes of Council decisions in relation to these reports.
- 5.2 Reports to the Executive dated 26 April 2007 and 21 November 2006 and minutes of the decisions of the Executive relating to these reports.

6 APPENDICES

Appendix 1 – Showing proposed additional land for acquisition.