

PROPOSAL PAPER FOR DISCUSSION

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FIRST DRAFT

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The Right Future for the King's Park



Aim of this Paper

This paper sets out a proposal to secure the future of the King's Park for the people of Stirling and for the Scottish nation. This is the first draft of a paper and is intended for limited circulation among the four parties (Stirling Council, Stirling Golf Club, Friend's of King's Park and the King's Park Community Council). A revised paper will be circulated in advance of a meeting of the parties to provide a more structured basis for discussion.

The proposal presented here represents a better deal (than that currently on the table) for Stirling Council and the Stirling Golf Club as well as satisfying the interests of the Friend's of King's Park and the King's Park Community Council.

King's Park is an ancient Royal Park, equivalent in historic importance to Holyrood Park and Windsor Park. It is a major historic asset for Stirling and a strategic gateway to the City as well as being a much loved and used local amenity for the public of Stirling and home to a historic golf course.

Concern about the future of the Park has prompted efforts to secure its ownership in a new Public Trust. It is clear, however, that, for a variety of reasons, alternative options have not yet been fully explored.

Attached to the report are enlarged maps of the various parts of the King's Park.

The Importance of the King's Park

King's Park forms part of the ancient possessions of the Crown in Scotland held in trust for the Scottish people. It is of profound importance for the reasons outlined above.

The King's Park is in effect all the land still held by the Crown that has not already been transferred to Scottish Ministers and is represented by the pink, blue, green, red and yellow shading on the attached maps. All of this landholding is the ancient Royal Park and the goal should be to bring this complete area into a form of ownership and management that reflects both the national interest in the site as a historic Scottish Royal Park and the local interest in the amenity value of the land for recreation and for golf.

The Current Situation

The King's Park is part of the Crown Lands of Scotland. It is public land that is currently administered by the Crown Estate Commission (CEC). Its role has been little more than a rent collector over the years and, by including the Park under the umbrella of its "rural estates" it has perhaps lost sight of the historic importance of this land.

Whilst the CEC do not "own" the land, they do have powers to dispose of it. This they attempted to do in 2006 by negotiating the sale of the golf course land to the Stirling Golf Club until local concerns brought proceedings to a halt.

At that stage the four principal local parties agreed to work together to secure an appropriate future for the Park and the CEC agreed that Stirling Council should take the lead in considering alternative proposals in consultation with all the parties. However, the local cooperation between the parties has diminished somewhat in the intervening two years. The Council's proposals for a new Public Trust remain far from ideal although they do represent progress.

Meanwhile, at a national level, the CEC has become more open in its public affairs. For example, since 2006, it now reports

annually to the Scottish Parliament and has set up a Crown Estate Scottish Liaison Group. There is therefore the prospect of a deal which would meet local and national interests and represent a good news story for the CEC as well.

Given this changed context, if the four local parties negotiate an agreed position based on this proposal, then there is a real prospect of achieving a positive outcome.

The Proposal

The proposal which follows has been put together in recognition of the national and local interest in the King's Park, to minimise capital outlays by the main parties and to put in place a management arrangement which is best suited to the character of the different parts of the Park.

The outcome is that the Crown land that makes up the King's Park and which is currently administered by the CEC will be owned in future by Scottish Ministers. This reflects the national importance of King's Park, reunites ownership of Stirling Castle and the King's Knot with the rest of the Park, and re-establishes the status of the Park as one of Scotland's two iconic Royal Parks.

The Proposal is as follows.

- Legal title to the entirety of the Crown lands that make up the ancient King's Park shall be transferred from the Crown to Scottish Ministers who will (with their existing ownership of Stirling Castle and the King's Knot) thus hold title to the entire historic Crown lands of Stirling.

- The title will be administered (including the granting of leases) on behalf of Scottish Ministers by Historic Scotland in a similar way to which they manage Holyrood Park. This will facilitate an integrated approach to long term management planning over the entire estate.
- Any payment for assets should reflect the value created in the asset by the various parties. In this light, no consideration will be paid for the land or, if any consideration will be paid, it will be nominal.¹ This will effectively complete the 1998/99 transfers to Scottish Ministers and is within the scope of the CEC's powers.
- Scottish Ministers (through Historic Scotland) will lease the Golf Course to Stirling Golf Club for a substantially lower rent than is currently being paid rent and for an agreed capital sum (again, substantially less than is currently proposed) in return for a commitment to continued good management. The lease will also permit development of new clubhouse facilities by Stirling Golf Club.
- Scottish Ministers (through Historic Scotland) will lease the remainder of the land (Gowanhill, the remainder of the public park, buildings and the agricultural land) to Stirling Council on a short (3-5 yr) lease.
- During this period, proposals can be developed through public consultation over how the King's Park will be managed and developed and a King's Park Charitable Trust will be constituted to take on a long term lease of this land from Scottish Ministers

¹ It is worth reflecting that CEC paid nothing for the King's Park and have invested little (if any) money in it. Furthermore, the value of the Golf Course has been created by the efforts and investment of the members of Stirling Golf Club over the years who have invested hundreds of thousands of pounds in the area.

- The King's Park Charitable Trust will be endowed with the capital payment from the Golf Club for the lease and a capital sum from Stirling Council and will receive the annual rent from Stirling Golf Club as it's core funding.
- Stirling Council will continue to invest in management by providing financial support to the Trust in maintaining a public park through existing budgets.
- All parties will develop a rebranding and promotion of the King's Park as the Royal Park of the City of Stirling and an ancient home of golf.

How will this be achieved?

The parties (Stirling Council, Stirling Golf Club, King's Park Community Council and the Friends of the King's Park) will meet to discuss this proposal and to agree its merits. A joint approach will then be made to consult Scottish Ministers (who are understood to be sympathetic) and the Secretary of State for Scotland (who is the lead Minister with responsibility for the CEC in Scotland²).

The four parties will then present the proposal to the Crown Estate Commission for their consideration.

There are good reasons to believe that, notwithstanding the current situation, the CEC might be likely to agree to this proposal if couched in the right terms.

Timescale

This proposal has the potential to reach a quicker resolution than what is currently on the table and avoids protracted local anxiety.

The merits of exploring this alternative include a more appropriate ownership and management structure, reduced capital outlays and the securing future of the entire extent of the ancient Kings' Park. Stirling Golf Club can use savings to invest in their planned clubhouse. Stirling Council are saved the time and expense of setting up a Public trust and the Common Good Fund's capital is preserved.

The proposal in outline could be agreed by the four parties, Scottish Ministers, the Secretary of State for Scotland and the Crown Estate Commissioners within two to three months.

The King's Park as the Royal Park of the City of Stirling could be launched as part of the 2009 Homecoming celebrations and the practical details implemented by Spring 2009.

Next Steps

The next step is to arrange to meet together to discuss this proposal and to ensure that the elements of the plan which secure the local interest are agreed upon.

Such a meeting should be called in the week beginning Monday 3 November in advance of the 16th November 2008, when King's Park Community Council have a meeting with Bruce Crawford MSP.

If this can be achieved, then Scottish Ministers and the Secretary of State for Scotland can be invited to lend their support and a united local view can then be presented to the Crown Estate

² The Secretary of State also has a power of direction over the CEC.

Commission as the outcome of Stirling Council's 2006 mandate from the CEC to come up with an alternative proposal.

Much has changed in the political landscape within the last 2 years. If a united local position can be agreed, there is a good chance of this deal succeeding for the benefit of the four local parties, Scottish Ministers, the Secretary of State and the Crown Estate Commission.

ANNEX

Maps showing the pink, blue, green, red and yellow parts of the King's Park representing

Pink: King's Park & Gowanhill

Blue: King's Park Golf Course

Green: Nos. 1 & 2 King's Park Cottages

Red: Homesteads Housing Association

Yellow: part of ancient Royal Park now agricultural land leases





