

(Reference: Report by Director of Environment Services dated 6 August 2007, submitted)

### SC81 CROWN ESTATE LAND IN STIRLING

At its meeting on 14 December 2006 (SC469 refers) the Council had received a report from the Director of Corporate Services on initial meetings that had taken place with representatives of Stirling Golf Club, Kings Park Community Council, Friends of King Park and the Crown Estate following local concerns about the Crown Estate's proposals to sell Kings Park Golf Course. The Council had agreed to progress discussions with all interested parties with a view to developing possible options more fully, noting that the preferred option would be for a Public Trust to hold all the former Crown Estate lands.

Following the Council decision, a proposal had been developed for the creation of a Public Trust to which ownership of the lands in question could be transferred. The proposal also put forward suggested terms for negotiation between the Crown Estate and the Council as to valuation of the various areas of land and the terms upon which they might transfer to the Public Trust. Finally, the proposal included suggested terms of a ground lease arrangement between the proposed Public Trust and Stirling Golf Club for the Kings Park Golf Course.

A number of details remain to be negotiated and agreed. However, in order to progress this matter to a conclusion, Council was asked to give its approval to the overall structure of the emerging solution including, in particular, the significant capital contribution from the Council, and remit it to Officers to finalise the remaining details, seek agreement of the other parties and report back to the December 2007 meeting.

The main elements of the package were as follows. The Crown Estate would transfer the areas shown pink and blue on the plan appended to the submitted report to the proposed Public Trust. They would require to be paid full commercial value for the blue area but were prepared to transfer the pink areas of public recreational space to the Public trust at nominal value. The Public Trust would grant a 175 year ground lease of the blue area (the golf course) to Stirling Golf Club at a nominal rent but in exchange for a capital sum. The Public Trust would fund their acquisition of the Crown Estate lands largely with the capital sum received for the ground lease. The balance of funding required would have to come from the Council, probably from the Common Good Fund. The exact split of funding between the Golf Club and the Council remained to be discussed and agreed.

The purpose of the Public Trust would be to hold these lands in trust for the benefit of the public in perpetuity. The lands would therefore remain available to the public as public open space for leisure and recreational use. Only very limited development strictly necessary and associated with the existing use of the lands would therefore be permitted. It was anticipated that the Trust would be able to access funding for improvement of the facilities and the public space and to promote public use and enjoyment of them. The exact make up of the Trust remained to be discussed and agreed.

In the original Council proposals put to the Crown Estates, the transfer of the yellow areas had also been sought. These areas were part of the ancient royal park and were currently agricultural lands subject to existing tenancies. The Crown Estate had indicated that it was not minded to transfer these lands at this time.

Historic Scotland also had an interest in the future of the lands in question. Historic Scotland owned Stirling Castle and the Kings Knot and were looking to take ownership of what they see as the "curtilage" of the Castle. The Crown Estate had agreed in principle to transfer a small part of the yellow area to Historic Scotland – the former jousting arena which lay to the east of the Raploch Road adjacent to the foot of the Castle Rock. Historic Scotland was also interested in taking ownership of the Back Walk (part of one of the pink areas) and the land known as the Haining. The latter was shown cross hatched on the plan and was possibly currently in Council ownership.

Councillor Scott Farmer proposed that the issues of (a) the possible purchase of the agricultural land shown in yellow on the plan and (b) Historic Scotland's interest in the areas of land specified should be separated from the current discussions and pursued by the Council at a later date. This was agreed.

### **Decision**

The Council agreed:

1. to note the progress of discussions;
2. to approve in principle conclusion of arrangements for transfer of the Crown Estate lands in question to a Public Trust on the terms detailed above, and
3. that a final report be submitted to the meeting of Council on 13 December 2007.

(Reference: Report by Director of Corporate Services dated 13 September 2007, submitted)

### **SC82 TRANSPORT PLANNING DEVELOPMENT ADVICE NOTE (DAN)**

The Executive Committee at its meeting of 13 February 2007 (para EX131 refers) had approved the draft Transport Planning Development Advice Note (DAN), subject to stakeholder consultation.

Following stakeholder consultation between March and May 2007 the DAN had been revised to take into account the responses received, with the developer contribution methodology amended to better reflect the guidance given in Scottish Office Development Department (SODD) Circular 12/1996 - Planning Agreements.

The revised DAN had been considered by the Executive at its meeting on 4 September 2004 (para EX32 refers), when it had been agreed:-

1. to note the finalised Transport Planning Development Advice Note (DAN) including the approach to and scale of developer contributions, and
2. to instruct Officers to arrange a briefing for all Members on the Transport Planning Development Advice Note and thereafter refer final approval of the document to the Council at its meeting on 4 October 2007.

The briefing for Members had taken place on 19 September 2007.

It was noted that a further report on the National Park and Smaller Towns and Villages transport strategies would be submitted to Council early next year.