



## **Agenda Item 11**

**Land Surplus to Requirements -  
Disposal of Land at Bantaskine  
Park, Falkirk**

**Falkirk Council**

**Title:** Land Surplus to Requirements - Disposal of Land at Bantaskine Park, Falkirk  
**Meeting:** Executive  
**Date:** 27 August 2019  
**Submitted By:** Director of Development Services

**1. Purpose of Report**

- 1.1. The purpose of this report is to seek approval to sell an area of ground located at Bantaskine Park, Falkirk upon which would be created a Visitor Centre relating to the Battle of Falkirk Muir in 1746 and the associated Jacobite period, together with a long ground lease of the adjacent site (see Appendix 1 for the indicative site plan).

**2. Recommendation(s)**

- 2.1. **It is recommended that the Executive agrees:-**

- (a) to declare 5.7 Ha (14.06 acres) of land at Bantaskine Park surplus to requirements and**
- (b) to authorise the Director of Development Services to progress a negotiated disposal and ground lease to the Battle of Falkirk Muir (1746).**

**3. Background**

- 3.1. The purchaser is seeking to acquire the land to construct a visitor centre relating to Battle of Falkirk Muir in 1746 and the associated Jacobite period. A feasibility study has been prepared for the site. The proposal includes development of an adjacent site which the company is seeking to lease from the Council.
- 3.2. The feasibility study details the historical context of the battle at Falkirk Muir and includes proposed site layout and drawings of the proposed visitor centre and adjacent site (Appendix 2). This proposal is intended to add to the cultural and historical assets in the Falkirk area.
- 3.3. The area of ground identified to be sold extends to 2.2 hectares (5.33 acres) and the leased site 3.5 hectares (8.73 acres). This includes land where there is some evidence of the Battle of Falkirk taking place.
- 3.4. The Council's Visit Falkirk Tourism Strategy summarises the five year plan to grow and develop tourism across the Falkirk area. This strategy aims to make Falkirk a destination of first choice for high quality, value for money and world-class attractions. This proposal is considered to fit well with this plan.

- 3.5. The Historic Environment Strategy for Falkirk 2018 indicates that the Council will promote the development of new heritage and landscape trails in the local area. The Battle of Falkirk visitor centre will complement the recently completed Falkirk Battlefield Trail. The emerging Local Development Plan includes a green network opportunity at Bantaskine Park for further enhancement of the park, including tourism facilities, interpretation, landscape and access improvements, woodland management and canal moorings. The Battle of Falkirk visitor centre will go some way towards realising this opportunity.
- 3.6. The Falkirk Council Open Space Strategy indicates an intention to explore opportunities to generate money for investment in park and open space improvement and maintenance through charging for the commercial use of parks and open space whilst safeguarding their free use by community groups.
- 3.7. The lease and sale boundaries have been drawn to exclude the important John Muir Way national trail and the existing public car park for Bantaskine Park users. These facilities will continue to be available to the public.
- 3.8. The existing access rights for; a) the public along the access road to the public car park, b) allotment site user access, c) the existing third party private property access rights for Elm Cottage and, d) the Seagull Trust leased property, will all continue as they do presently.
- 3.9. The purchaser will be the Battle of Falkirk Muir (1746) co no SC0607149 which is a trust. Charitable status is being sought for the trust through OSCAR to become a Scottish Charitable Incorporated Organisation (SCIO) and it would be as a SCIO that they would be purchasing the land.
- 3.10. The cost of building the visitor centre is estimated at £8 million and the projected visitor numbers are estimated at 80,000 in the first year.
- 3.11. Pre-application discussions regarding the proposal have already taken place with planning officers, though a formal application has yet to be made. Adjustments to the plans are likely during the planning and design processes taking account of development constraints which may become apparent during site investigations.

#### **4. Considerations**

- 4.1 The use of the land to be sold and leased would be for a visitor centre in connection with the Battle of Falkirk Muir which took place in 1746 and the associated Jacobite period. Part of the disposal would be by way of a sale and part would be by way of a lease to the Battle of Falkirk Muir (1746) for 125 years.
- 4.2 The main visitor centre building would be located in the area to be sold which would include a museum, exhibition room, shop, café, a large education/function room and carpark. The leased area of the property would

be physically little different from as it is now though with some paths created for access.

- 4.3 Whilst the current tarmac covered road running through the site will remain in the ownership of Falkirk Council, the purchaser will be responsible for significantly upgrading and maintaining the section of the road that runs through the proposed development as is likely to be required as part of any planning permission. The purchaser would be responsible for maintaining the areas of land leased and sold to them.
- 4.4 The completion of the sale and lease would be subject to the buyer obtaining the relevant planning consent and other necessary consents satisfactory to them.
- 4.5 It is anticipated that the visitor centre would employ between 20 to 25 staff with a mix of full and part time staff over the course of the tourist season.

## **5. Consultation**

- 5.1. The relevant local members were consulted and no concerns were raised. Further consultation will take place as part of the planning application process.

## **6. Implications**

### **Financial**

- 6.1 If progressed to conclusion, the disposal of this asset will generate a receipt of £50,000 for the General Services Account plus a rental income of £4,500 per annum, to be reviewed in line with Consumer Price Index every five years. These figures were assessed by the District Valuer. It is intended that the rental income will be used to contribute to management and improvement of the remaining area of the park.
- 6.2 All repair and maintenance costs on the site which has been sold/leased will become the responsibility of the new owner/ tenant resulting in reduced maintenance costs for Falkirk Council.

### **Resources**

- 6.2 No additional resources are required.

### **Legal**

- 6.3 The disposal will be subject to all necessary legal agreements including appropriate title burdens restricting change of use being concluded for the sale of part and a 125 year lease of the remainder. The inclusion of the lease element will allow control for Falkirk Council in the future use of the site.

## **Risk**

- 6.4 Should the proposed development not succeed, the risk is mitigated for Falkirk Council to some extent in that if the buyer sought a change of use of the property, the permission of Falkirk Council, as land owner as well as planning authority would require to be sought as part of the sale and lease. Should the venture fail, the leased areas of land would return to Falkirk Council.

## **Equalities**

- 6.5 Not applicable.

## **Sustainability/Environmental Impact**

- 6.6 There would be some environmental impact due to construction of the main building and car park in particular. The scheme would be subject to planning approval and the materials used would be to a standard required to meet building regulations including thermal insulation requirements.

## **7. Conclusions**

- 7.1 In addition to receiving the capital receipt and future annual income, the purchaser will be creating a significant tourist related development which will benefit the area.

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Director of Development Services

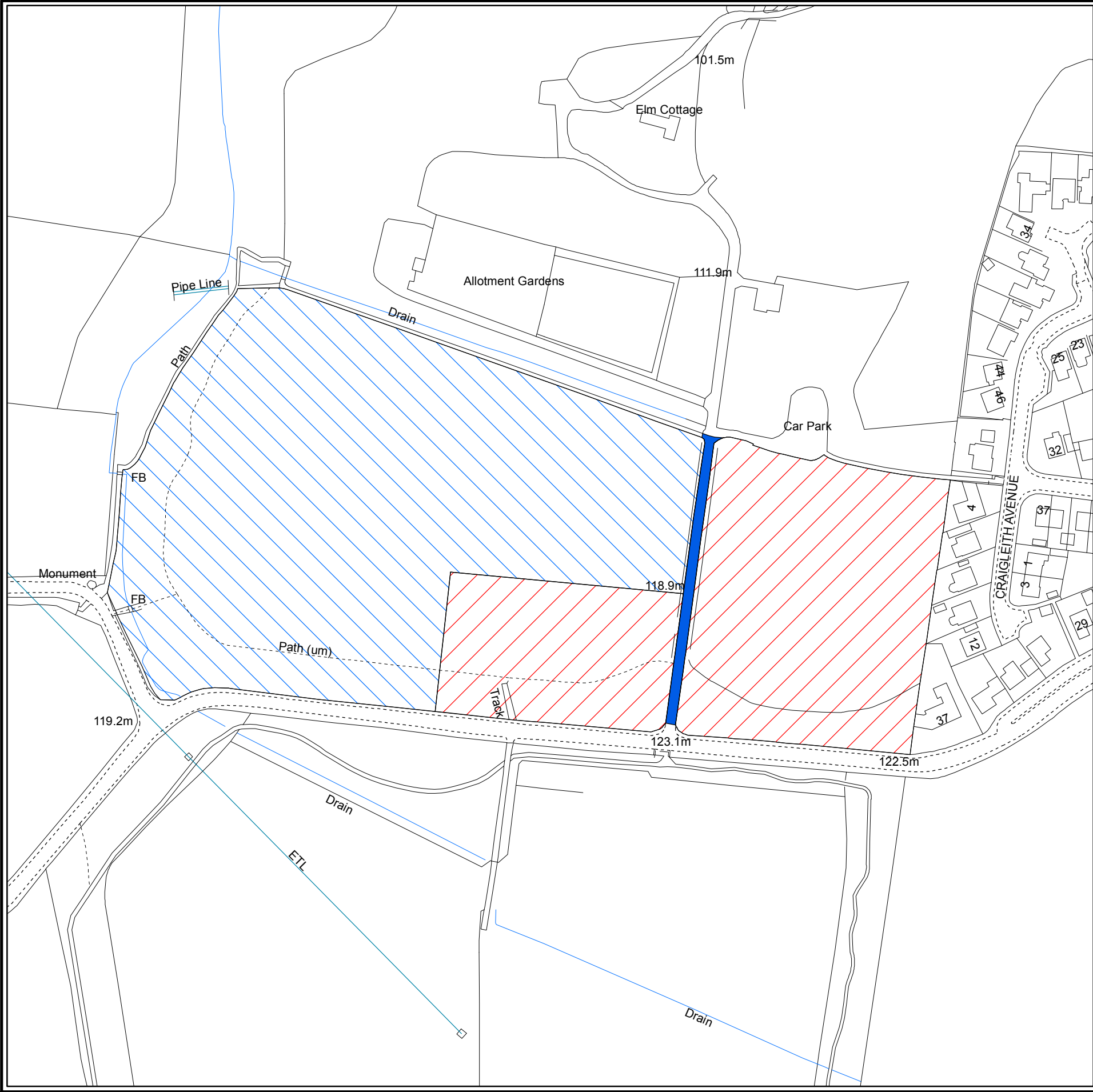
Author – Keith Raffan, Property Surveyor 01324 504797, keith.raffan@falkirk.gov.uk  
Date: 12 August 2019.

## **Appendices**

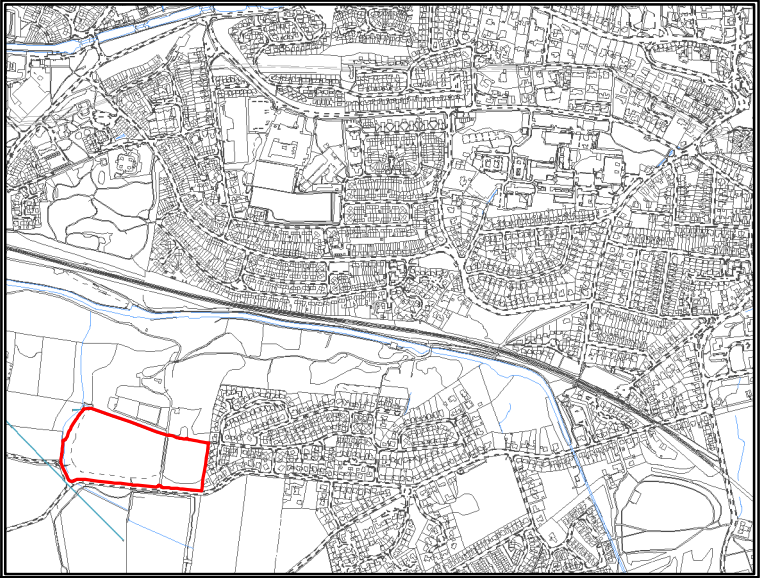
Appendix 1 - Plan showing location of land proposed to be sold and leased.  
Appendix 2 - Battle of Falkirk Muir 1746 – Proposed Visitor Centre & Experience –  
Draft Study Extract – Feb 2018

## **List of Background Papers:**

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:



Falkirk Council



LOCATION PLAN scale: 1:20,000

Subject: Proposed Sale and Long Lease, Battle of Falkirk, Bantaskine Estate, Falkirk

Area:		or thereby.	
Scale:	Plan No:	Date:	
1:2,000	2978	5.8.2019	

Development Services

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Telephone: 01324 504950 Fax: 01324 504709

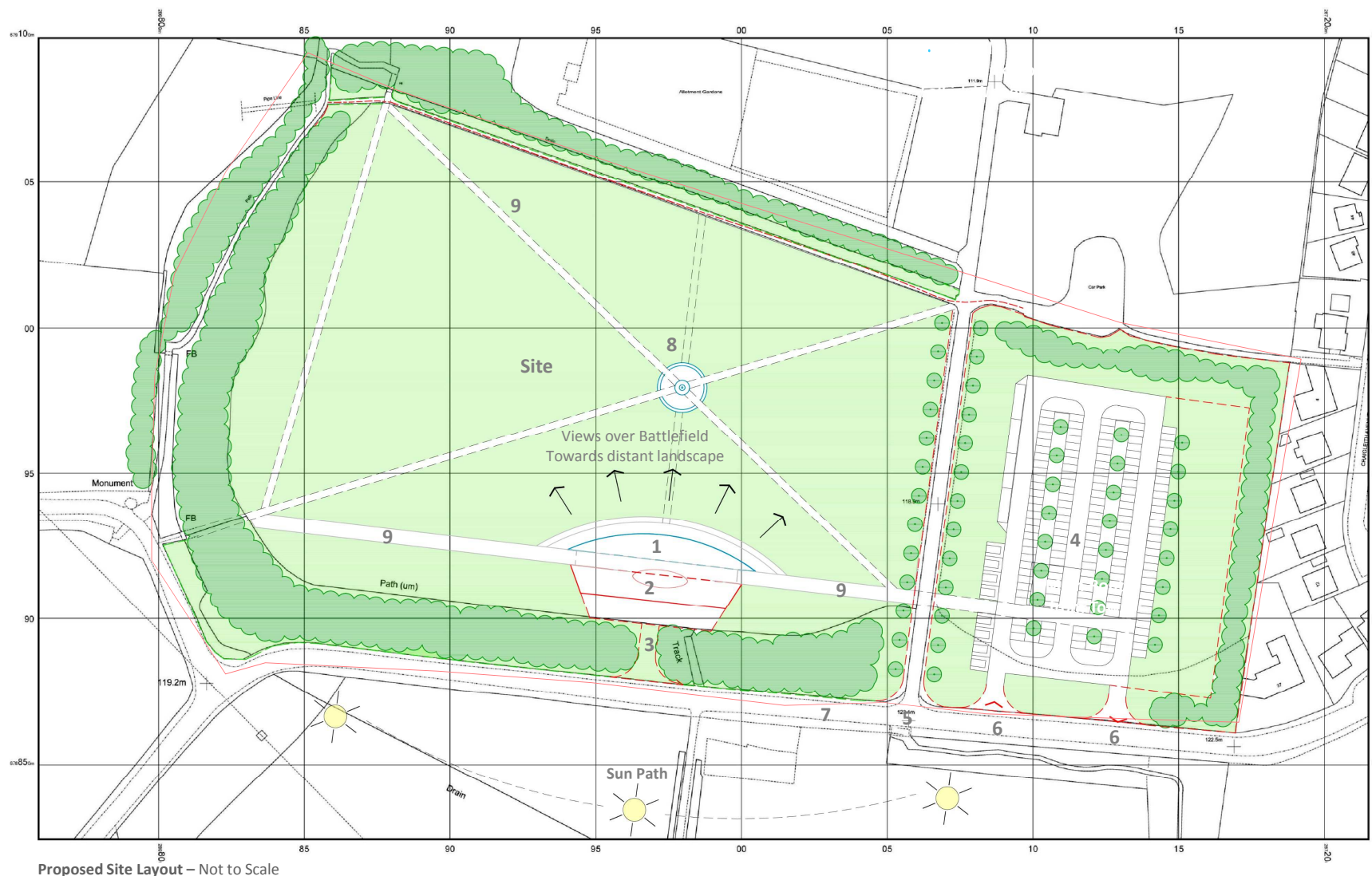
- Area 1 - Proposed Sale, 2.2 hectares (5.33 acres)
- Area 2 - Proposed Long Lease, 3.5 hectares (8.73 acres)
- Access



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O.S.Ref  
NS8778

## Appendix 2



### Proposed Site Layout

The adjacent plan illustrates a notional site layout for the building and site. This layout is indicative at this stage and is provided to inform initial consultation with key stakeholders.

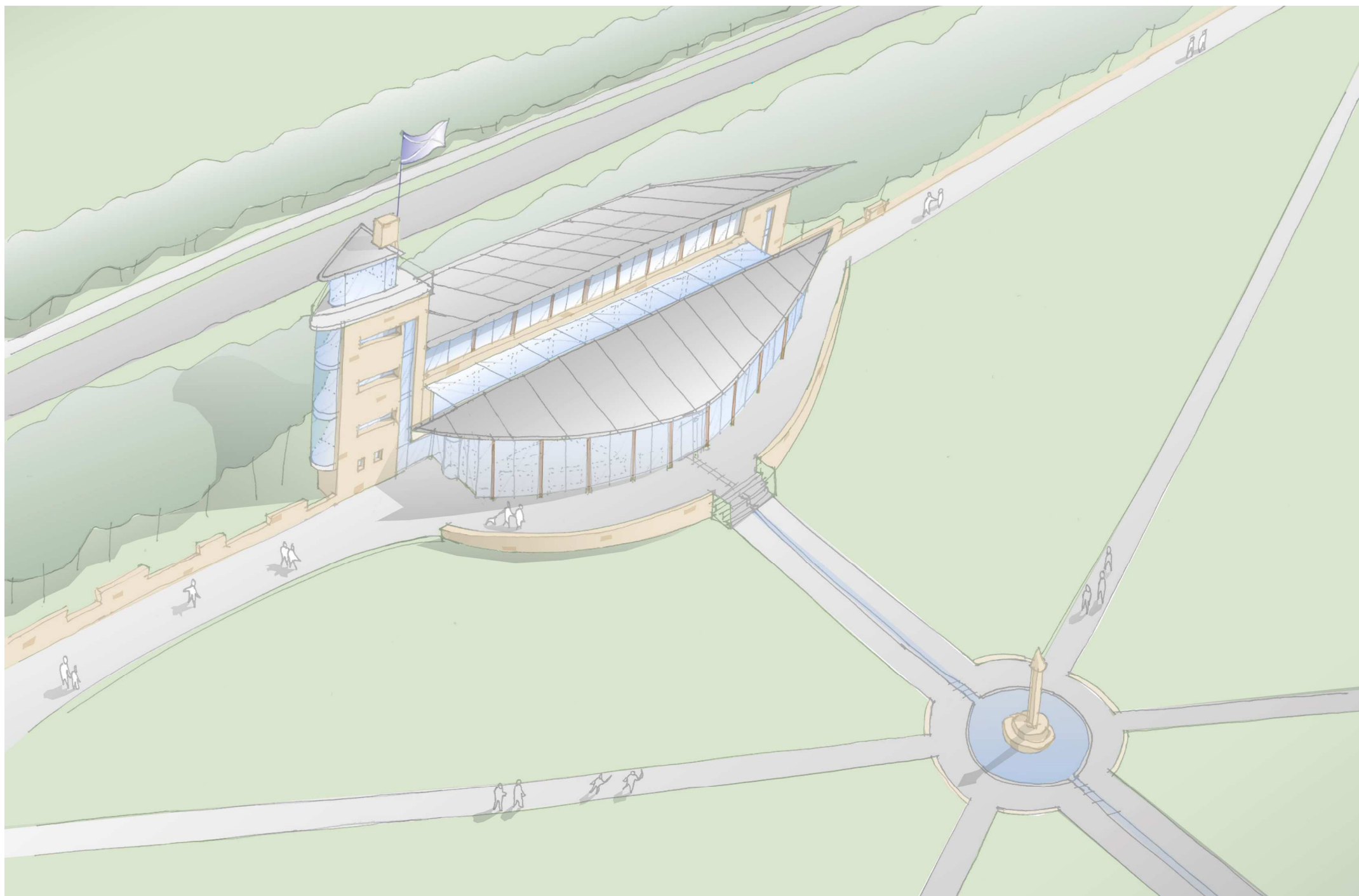
Key:-

1. Visitor Centre – Café/Shop with views out over Battlefield and beyond.
2. Visitor Centre – Exhibition and Support facilities.
3. Visitor Centre – Yard and service with access screened by landscaping.
4. New Carpark – 150 Cars indicated – with Accessible and Coach parking.
5. Existing Site Access – with potential for upgrading.
6. Potential New Site Access Points.
7. Approximate location of Bus stops.
8. Proposed relocated position of existing Monument as centrepiece of site away from roads.
9. Existing path network enhanced to facilitate access to building and to key points on Battlefield.









Proposed Aerial 3D Sketch View from North East



Proposed Section through building looking west