

EAST AYRSHIRE COUNCIL

CABINET – 19 NOVEMBER 2008

PROPOSED ACQUISITION OF LAND AT MOTE TOLL, OCHILTREE

Report by the Executive Head of Finance and Asset Management and Executive Director of Neighbourhood Services

1 PURPOSE OF REPORT

- 1.1 To seek authority to acquire land at Mote Toll, Ochiltree extending to 460 sq.m. or thereby as shown hatched on the attached plan by Compulsory Purchase if required for the purpose of facilitating the improvement of the existing road junction.

2 BACKGROUND

- 2.1 The land is required to allow the Roads Division to implement a junction improvement which is designed to improve road safety. A problem has been identified involving buses turning off the A70 onto the side road at Mote Toll when another vehicle is stationary waiting to exit the side road. At such times buses may unexpectedly become stationary on a fast section of the A70 and this is a potential hazard for the bus and other road users.

3 PRESENT POSITION

- 3.1 Mr Hugh Watson, Laigh Tarbeg Farm, Ochiltree was identified as the owner of the land and initial contact was made in November 2007 outlining the proposed terms and conditions of purchase.
- 3.3 Despite various reminders, no formal response has been received from Mr Watson to the terms outlined. Authority is therefore being sought to utilise Compulsory Purchase powers to facilitate the acquisition of this land.

4 FINANCIAL IMPLICATIONS

- 4.1 All costs associated with the acquisition of this land and the subsequent road widening works will be met from Roads Division capital allocation.

5 LEGAL IMPLICATIONS

- 5.1 The land is required for “the improvement ... of a public road” in terms of Section 104(1)(a) of the Roads (Scotland) Act 1984. The Compulsory Purchase procedure is as laid down in the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and is subject to the approval of the Scottish Ministers as confirming authority in terms of Section 110 of the Roads (Scotland) Act 1984.

6 POLICY AND COMMUNITY PLANNING IMPLICATIONS

- 6.1** The proposed road safety works would contribute directly to Action 3.4 “Raise awareness of and improve road safety through education, engineering, enforcement and encouragement” of the “Improving Community Safety” Action Plan of the Easy Ayrshire Community Plan.

7 ASSET MANAGEMENT IMPLICATIONS

- 7.1** The proposed acquisition meets the Council’s policy objectives in respect of asset management and will have a positive impact on the Council’s ability to ensure service delivery.

8 RECOMMENDATIONS

- 8.1** That the land extending to 460 sq.m. or thereby as shown hatched on the attached plan be acquired by the use of Compulsory Purchase if required.

William Stafford
Executive Director of Neighbourhood Services

Alex McPhee
Executive Head of Finance
and Asset Management

AMcP/AMG

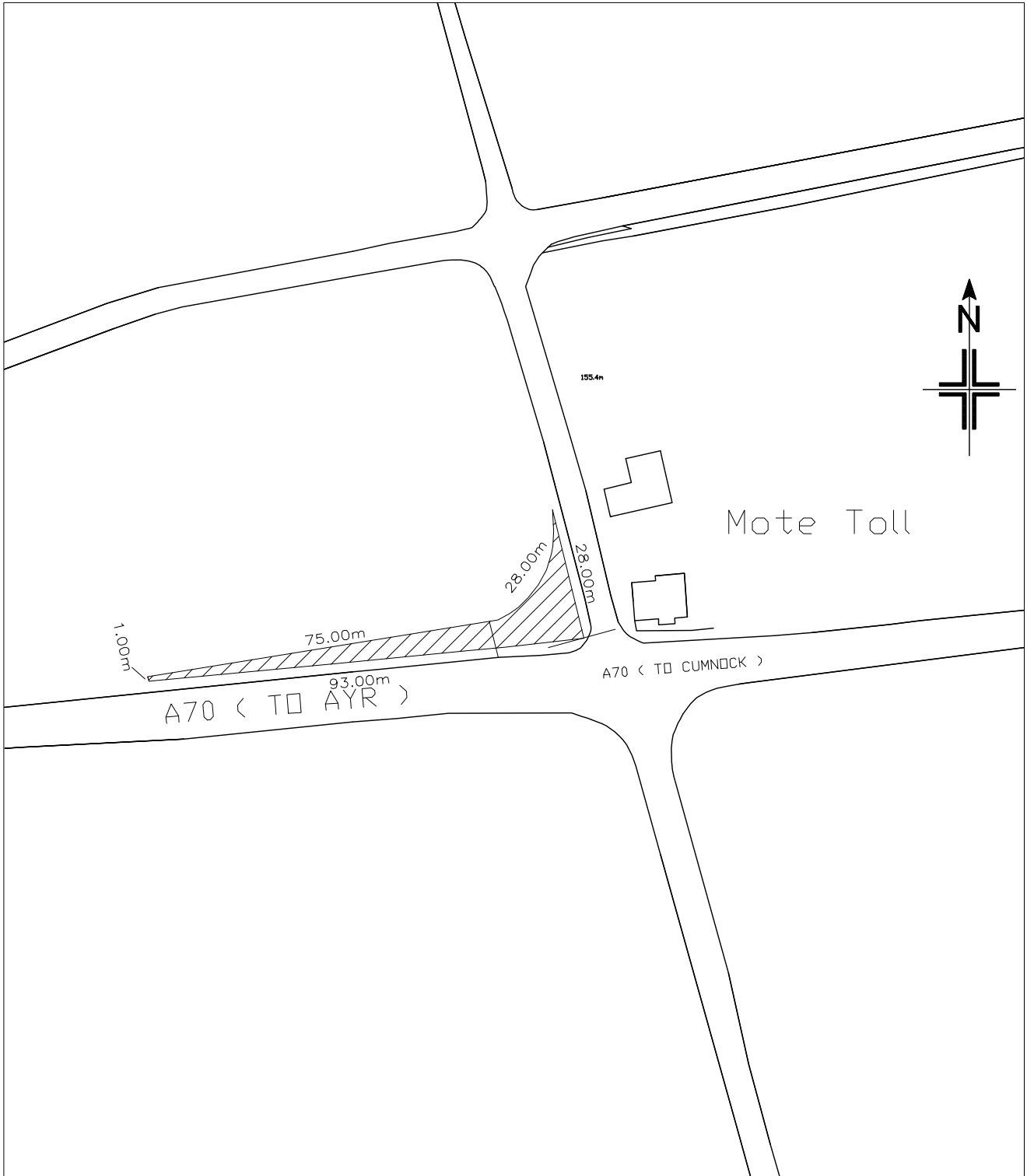
10 November 2008

BACKGROUND PAPERS - NIL

For further information, please contact Angela Graham, Estates Management on ext 3475 or Neil Bell, Roads and Transportation on ext 5735

Implementation officer: Rosemary Duffy, Legal Services

CABINET REPORT PLAN



Contents within the area hatched black :
460 square metres (0.114 acres) or thereby.

TITLE

ACQUISITION of GROUND
MOTE TOLL
NEAR OCHILTREE



East Ayrshire
council

LAND SURVEY

Alexander McPhee ACMA
Head of Finance and
Asset Management

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