

EAST AYRSHIRE COUNCIL

GOVERNANCE & SCRUTINY COMMITTEE - 1 MAY 2009

CONCLUDED PROPERTY TRANSACTIONS

Report by the Executive Head of Finance and Asset Management and the Solicitor to the Council

1. PURPOSE OF REPORT

- 1.1** The purpose of this report is to provide, for information, details of disposals and acquisitions by the Council of land or buildings which have been concluded during the six month period from 1 October 2008 to 31 March 2009 with the exception of Council Houses sold in terms of the Right to Buy Legislation contained within the Housing (Scotland) Act 1987 as amended and the disposal of loft spaces to owner occupiers of former Council Houses

2. BACKGROUND

- 2.1** Decisions to declare land or buildings surplus to requirements for the purpose of disposal can be made either by officer delegation, where the disposal is on a negotiated basis and the value of the asset is below an agreed threshold, or by Committee or Cabinet, where the disposal is on a negotiated basis and the value of the asset is above an agreed threshold and where the disposal is to be subject to an open market exercise. Similarly decisions to acquire property in support of identified policy objectives require Committee or Cabinet Authority. Thereafter finalised decisions on the details of disposals or acquisitions are made either by officer delegation where the value of the asset is below an agreed threshold or alternatively where the value of the asset is above an agreed threshold by Committee or Cabinet.
- 2.2** It is appropriate that Elected Members are provided following conclusion of all authorised disposals and acquisitions with full details of the concluded transactions the purpose of the disposal or acquisition, the sale or purchase price and the identify of the purchaser or seller. A bi-annual report is accordingly submitted to this Committee detailing respectively the disposals and acquisitions which have been concluded in the six month period between 1 April and 30 September and in the six month period between 1 October and 31 March. The bi-annual reports detail the price paid at settlement and do not take of account of post settlement adjustments
- 2.3** This report covers the period 1 October 2008 to 31 March 2009 and details of the disposals and acquisitions concluded by the Council within this period are as shown on Appendix 1 and Appendix 2, respectively. It should be noted that the disposal at Meiklewood Road, Kilmarnock referred to within Appendix 1 of the report to Governance and Scrutiny Committee on 21 November 2008 in respect of the period 1 April 2008 to 30 September 2008, was marketed as opposed to a negotiated disposal and was reported as a negotiated disposal

in error. In addition there was an error in the price reported and accordingly that transaction has been re-reported within Appendix 1 of this report.

3. FINANCIAL /LEGAL/POLICY/COMMUNITY PLANNING IMPLICATIONS

3.1 None arising directly from this Report.

4. RECOMMENDATION

4.1 The Committee is asked to note the report and Appendix 1 and 2 thereof.

Alex McPhee,
Executive Head of Finance and Asset Management
17 April 2009

David Mitchell
Solicitor to the Council

LIST OF BACKGROUND PAPERS - NIL

Any person wishing further information about the contents of this report or further details about any of the reported transactions please contact Sam McVie on telephone extension 01563 576199 or Anna Gallagher on telephone extension 01563 576170

APPENDIX I

<u>Sold Property</u>	<u>Proposed Use</u>	<u>Negotiated /Marketed Disposal</u>	<u>Committee History/Officer Delegation</u>	<u>Purchaser</u>	<u>Price</u>	<u>Date of Sale</u>
Meiklewood Road, ilmarnock	Commercial/ Retail Development	Marketed	Committee/Cabinet Surplus declaration /Delegated terms	Alan Gillespie	£100,750	01/07/08
arrhill Terrace, umnock	Nursing Home use.	Negotiated	Delegated Surplus declaration/ Delegated terms	Woodroad Care Limited	£19,000	16/01/09

** Re-reported for clarification

APPENDIX 2

<u>Purchased Property</u>	<u>Proposed Use</u>	<u>Negotiated Acquisition</u>	<u>/Marketed</u>	<u>Committee History/Officer Delegation</u>	<u>Seller</u>	<u>Price</u>	<u>Date of Purchase</u>
Two Areas of Ground at Bankhead ,Near Galston	Flood Prevention	Negotiated		Committee/ Cabinet Authority, Delegated Terms	Mr. and Mrs John Smith	£185,000	10/10/08
Area of ground at Little Bellsland Road ,Kilmarnock	Flood Prevention	Negotiated		Committee/ Cabinet Authority, Delegated Terms	Travis Homes Limited	£18,000	06/11/08
Area of ground at Goatfoot Road Galston	Flood Prevention	Negotiated		Committee/ Cabinet Authority, Delegated Terms	Gilmour's Dairy Limited	£ 50,000	26/03/09
44 Townhead Street, Cumnock (house)	Regeneration	Negotiated		Committee/ Cabinet Authority Delegated Terms	Mr & Mrs J. Little	£65,000	06/10/08
46 Townhead Street, Cumnock (office)	Regeneration	Negotiated		Committee/ Cabinet Authority, Delegated terms	Alexander Buchanan	£35,000	08/01/09
46 Townhead Street, Cumnock (house)	Regeneration	Negotiated		Committee/ Cabinet Authority, Delegated responsibilities	Executors of the late James Steele	£67,000	01/10/08
1 Greenholm Road, Cumnock	Regeneration	Negotiated		Committee/ Cabinet Authority, Delegated Responsibilities	Mr & Mrs Gerard McGhee	£109,000	13/11/08

3	Greenholm Road, Cumnock	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Mr & Mrs James McGhee	£104,000	03/10/08
4	Greenholm Road, Cumnock	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Lynda McIlvaney	£104,000	31/10/08
5	Greenholm Road, Cumnock	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Karen Brotherton	£99,000	31/10/08
7	Greenholm Road, Cumnock (workshop)	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Mr & Mrs Alistair Kidd	£44,000	9/12/08
74	Farden Avenue New Cumnock	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Mr and Mrs John Stevenson	£66,000	18/12/08
33	Farden Avenue, New Cumnock	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Robert Stevenson	£60,000	22/12/08
25	Farden Avenue, New Cumnock	Regeneration	Negotiated	Committee/ Cabinet Authority, Delegated Responsibilities	Mr and Mrs T M Shankland and Mr T Shankland	£61,000	19/12/08