

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE –19 JANUARY 2005

SURPLUS PROPERTY - LAND AT JAMES TAYLOR AVENUE, CATRINE

Report by Executive Director of Development and Property Services

1. PURPOSE OF REPORT

- 1.1** To request that the Committee declare surplus to the Department's operational requirements, land at James Taylor Avenue, Catrine for the purpose of disposal to the adjacent land owner.

2. BACKGROUND

- 2.1** The area of ground, extending to 47 square metres or thereby, is a narrow strip of land located inside the fence line of an existing field owned by the adjacent proprietor.
- 2.2** The land is part of a larger area acquired in 1998 from the then adjacent proprietor for use in connection with the Catrine Primary School Traffic Management Scheme.
- 2.3** The strip of land was not included in the finalised scheme and appears to have been fenced off by the Council.
- 2.4** Subsequently a developer, D & A Contracts Limited, purchased the adjacent field unaware that the Council owned the narrow strip inside the field fence line.
- 2.5** D & A Contracts Limited have obtained Planning Consent for 18 dwellinghouses on land adjacent to the James Taylor Avenue / John Street intersection subject to entering into a Section 75 Agreement to secure the development of the wider site.

3. PRESENT POSTIION

- 3.1** D & A Contracts require the strip of land for their current development proposals.
- 3.2** The Council has been approached by D & A Contracts Limited seeking to purchase the Council's land. The strip of ground has little or no value on its own and could not be separately marketed.
- 3.2** The local Member has been consulted and offered no objection to the disposal of the land.

4. FINANCIAL IMPLICATIONS

- 4.1** If the land is declared surplus, any Capital Receipt received will be credited to the General Services Capital Account.

5. LEGAL/POLICY IMPLICATIONS

5.1 It is normal policy to advertise any property surplus to requirements for sale on the open market unless there are special reasons to do otherwise. It is considered that this policy does not apply in this instance for the reasons detailed in Section 2 above.

6 RECOMMENDATION

6.1 It is recommended that Committee:-

- (i) Declare the land extending to 47 square metres or thereby at James Taylor Avenue, Catrine surplus to the requirements of Development and Property Services for the purpose of sale to D & A Contracts Limited; and
- (ii) Refer the matter thereafter to the Executive Director of Development and Property Services to negotiate the terms and conditions of sale.

James Lavery
Executive Director of Development and Property Services
17 January 2005
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BACKGROUND PAPERS

Nil

For further information on this report, please contact Peter Rose, Surveyor, Property Unit (Tel: 01563 576190).

Implementation Officer: Peter Rose