

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE – 28 JUNE 2005

LAND ADJACENT CUTSBURN ROAD, STEWARTON

Report by Executive Director of Development and Property Services

1. PURPOSE OF REPORT

- 1.1** To request Committee authority to declare surplus a 1.5m strip of land extending to 302sq.m. adjacent Cutsburn Road, Stewarton as shown on the attached plan and authorise disposal of same to the nominated parties.

2. BACKGROUND

- 2.1** There is currently a 3.5m wide grassed verge adjacent to the public road forming Cutsburn Road, Stewarton which is deemed to be part of the adopted roadway and consequently is not a ransom strip.
- 2.2** Three developers, James A Currie, Mr and Mrs Simpson and C&G Properties have been granted planning permissions for the erection of dwellinghouses on land adjacent and, the permissions are subject to the creation of a 2m wide footway and a wall to be erected at the footway edge.
- 2.3** This would effectively dissect the Council's ownership leaving a 1.5m strip of land between the wall and the adjacent housing developments.
- 2.4** The developers have advised that they wish to purchase the Council's land adjacent their own developments to incorporate this into their developments.
- 2.5** This would result in a disposal of land extending to 60 sq.m. to James A Currie, 41 sq.m. to Mr and Mrs Simpson and 201 sq.m. to C&G Properties

3. PRESENT POSITION

- 3.1** The Executive Director of Development and Property Services has agreed provisional terms and conditions with each developer for the disposal of the land adjacent to their own development.
- 3.2** Following the creation of the footway and wall, the land will not be required for operational purposes and can therefore be declared surplus to requirements.

4 FINANCIAL IMPLICATIONS

- 4.1 The release of this land will enable the Council to generate a capital receipt for the General Services Capital Account.

5 LEGAL IMPLICATIONS - Nil

6 POLICY IMPLICATIONS

- 6.1 It is normal Council policy to advertise buildings and land for sale on the open market unless there are special reasons to do otherwise.
- 6.2 It is considered that the above policy does not apply in this instance as the land will be isolated from the footway and the only parties who would be in a position to utilise the land are the developers of the housing developments
- 6.3 It should be noted that in the event that the proposed disposal and development does not proceed, the land will revert back to Development Services.

7 RECOMMENDATIONS.

It is recommended that Committee:

- a) Agree to declare surplus the 1.5m strip of land extending to 302 sq.m. adjacent to Cutsburn Road, Stewarton surplus to requirements and authorise the disposal of:
60 sq.m. to James A Currie,
41 sq.m. to Mr and Mrs Simpson
201 sq.m. to C&G Properties; and
- b) Authorise the Executive Director of Development and Property Services to finalise the negotiations for the sale; and
- c) Otherwise note the contents of this report.

James Lavery
Executive Director of
Development and Property Services

15 June 2005
JL/AMG

LIST OF BACKGROUND PAPERS – Nil

For further information, please contact Angela Graham, Assistant Senior Surveyor - Telephone: 01563 576265.

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