

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 21 MARCH 2007

LAND AT MACPHAIL DRIVE, KILMARNOCK

Report by Executive Director of Neighbourhood Services

1. PURPOSE OF REPORT

- 1.1** To request that Committee declare surplus to requirements an area of land adjacent to 46 MacPhail Drive, Kilmarnock extending to 364 sq m, or thereby, as shown on the attached plan, and refer same to the Acting Executive Director of Development and Property Services for disposal on the open market as a residential development opportunity in accordance with the Council's policy for the treatment of surplus properties.

2. BACKGROUND

- 2.1** The land forms part of a large local authority housing estate and is currently an area of grassed open space located on a corner site adjacent to 46 MacPhail Drive. The land has been identified, following enquiry from the adjacent proprietor who wished to purchase the land to extend his garden ground, as a residential development opportunity
- 2.2** The area of land in question is held on the Housing Revenue Account and, accordingly, any decision to declare the land surplus to requirements requires the approval of this Committee.

3. CURRENT POSITION

- 3.1** The Head of Planning Development and Building Standards has confirmed that the land is not identified or safeguarded for any particular development purposes in the adopted East Ayrshire Local Plan. He has further confirmed that his division would have no objections to the sale of the land for either garden ground purposes or for development of the site for residential purposes from a planning policy point of view. The Acting Head of Roads, Transportation and Design has also confirmed that his division would have no objections, in principle, to the disposal of the land for residential development, subject to any dwelling taking access from the roadway (MacPhail Drive).
- 3.2** In order to satisfy expected demand it is proposed that the land be advertised for sale on the open market as a residential development opportunity with formal offers being invited by tender.
- 3.3** The purchaser of this land will be responsible for obtaining all statutory consents associated with their development proposals, e.g. planning permission/building warrant and Roads opening consent.

- 3.4 The local member has been consulted and is supportive of this proposal.
- 3.5 The land is not required for operational purposes and could 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 Housing Capital Account.
- 4.2 The disposal of this area of ground will relieve the Council from all future ground maintenance obligations.

5. LEGAL IMPLICATIONS

- 5.1 As the land is held on the Housing Revenue Account, the consent of the Scottish Ministers to any disposal will be required in terms of Section 12 (7) of the Housing (Scotland) Act 1987.

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. Notwithstanding the initial interest from the adjacent proprietor to purchase the ground for garden ground purposes, the Council requires to obtain best value in its treatment of its property assets. Given the potential of marketing the site for residential development no deviation from that policy is considered justifiable in this instance
- 6.2 Should no satisfactory offer be obtained the land will revert back to the Housing Revenue Account.

7. ASSET MANAGEMENT IMPLICATIONS

- 7.1 The proposed disposal meets the Council's policy objectives in respect of asset management and partnership working and will not adversely impact on the Council's property portfolio and ability to ensure service delivery.

8. RECOMMENDATIONS.

It is recommended that Committee:

- (i) agree to declare surplus 364 sq m, or thereby, of land located on a corner site adjacent to 46 MacPhail Drive, Kilmarnock;
- (ii) authorise the Acting Executive Director of Development and Property Services to advertise the land for sale on the open market for residential development purposes; and
- (iii) otherwise, note the contents of this report.

William Stafford
Executive Director of
Neighbourhood Services

WS/JK/AH

28 February 2007

LIST OF BACKGROUND PAPERS

Nil

For further information on this report, please contact Gerry Docherty, Area Housing Manager on Ext. 5671 or Alan Hodge, Surveyor on Ext. 6274

Implementation Officer: Alan Hodge

COMMITTEE REPORT



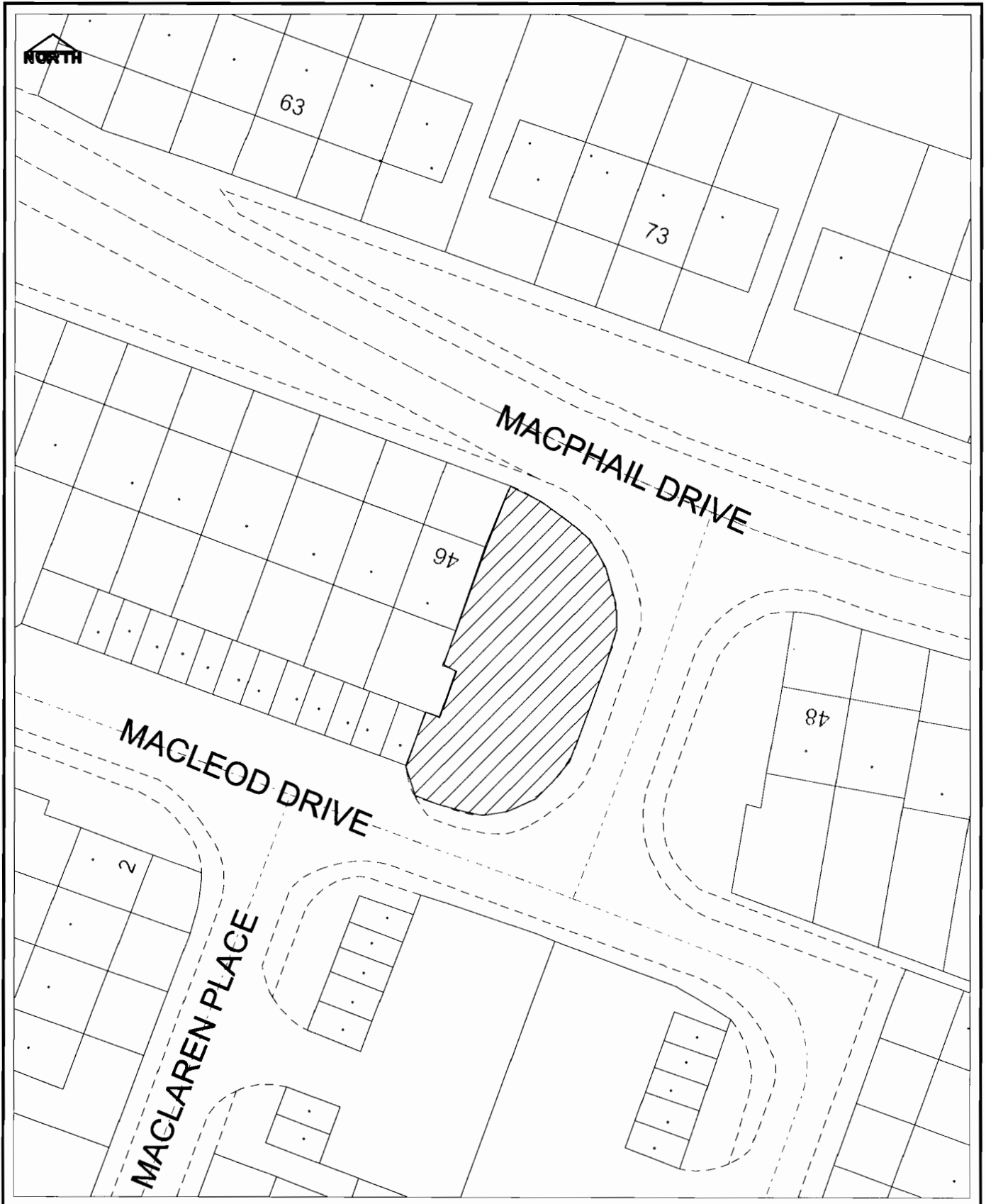
East Ayrshire
COUNCIL

Title: SALE OF GROUND
MacPHAIL DRIVE, KILMARNOCK
364 sq. m. approx

DATE: 05/03/2007

MAP REFERENCE: NS4437NW

SCALE: 1:500



EAST AYRSHIRE COUNCIL - DEVELOPMENT AND PROPERTY SERVICES

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