

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 17 MAY 2006

PROPOSED TRANSFER OF LAND AT BACK ROGERTON CRESCENT / BARBIESTON ROAD, AUCHINLECK

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 at Back Rogerton Crescent and Barbieston Road, Auchinleck, extending to 5251 square metres or thereby, shown hatched on the plan attached, for the purpose of a transfer to the Department of Educational and Social Services.

2. BACKGROUND

- 2.1** The Social Work Committee at a meeting on 23 March 2006 received a report from the Executive Director of Educational and Social Services in relation to the Best Value Review of Residential Services for Adults with Learning Difficulties. The report made a number of recommendations regarding services which were accepted by the Social Work Committee, including the proposal to replace the existing In-house Residential Unit for Adults with Learning Disabilities at Carrick View, Auchinleck, with new purpose built accommodation in the same locality.
- 2.2** The land identified as a potential site for this project is currently a grassed open area situated at the corner of Back Rogerton Crescent and Barbieston Road, Auchinleck.
- 2.3** The local Member has been consulted and offers no objection to the proposed transfer.

3. PRESENT POSITION

- 3.1** Technical Services are currently preparing detailed drawings and carrying out site investigations in connection with the proposed development, prior to application being made for all statutory consents required to enable the development to proceed.

4. FINANCIAL IMPLICATIONS

- 4.1** Once it has been established whether there are any extraordinary development costs associated with the project, the Executive Director of Development and Property Services will be in a position to determine the value of the site which, subject to obtaining of all necessary statutory consents will be credited as a Capital Receipt to the Housing Capital Account.

5. LEGAL IMPLICATIONS

- 5.1** In terms of Section 70 (2) of the Local Government (Scotland) Act 1973, land acquired by a local authority for a particular purpose, if not required for that purpose, may be used in the short term for the purpose of any other of the authority's functions.
- 5.2** Any long term change of use will require a formal transfer between departments and will require to be treated as a disposal by one department to the other.
- 5.3** As the area of ground in question is currently held on the Housing Revenue Account, the formal consent of the Scottish Executive to the transfer is required in terms of Section 203 (2) of the Housing (Scotland) Act 1987.

6. POLICY IMPLICATIONS

- 6.1** The proposed transfer accords with agreed Council policy in relation to the Best Value Review of Residential Services for Adults with Learning Disabilities.
- 6.2** In the event of all necessary statutory consents not being obtained and the development not proceeding, the site will continue to be held on the Housing Revenue Account.

7. RECOMMENDATION

- 7.1** It is recommended that Committee:-
- (i) Declare the area of ground at Back Rogerton Crescent and Barbieston Road, Auchinleck, extending to 5251 square metres or thereby surplus to requirements for the purpose of a transfer to the Educational and Social Services Department only, subject to the obtaining all necessary statutory consents to enable the proposed development to proceed and the consent of the Scottish Executive in terms of Section 203 (2) of the Housing (Scotland) Act 1987; and
 - (ii) Thereafter refer the matter to the Executive Head of Finance in conjunction with the Executive Director of Development and Property services to regulate the transfer in accordance with the Council's agreed procedures.

William Stafford
Executive Director of Neighbourhood Services

WS/SMcV/MB
25 April 2006

BACKGROUND PAPERS

- 1 Report dated 6 March 2006 headed "Best Value Review – Residential Services for Adults with Learning Disabilities" submitted by the Executive Director of Educational and Social Services to the Social Work Committee on 23 March 2006.

For further information on this report, please contact Sam McVie, Principal Surveyor, Property Unit (Tel: 01563 576099)

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