

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 17 MAY 2006

PROPOSED TRANSFER OF LAND AT STONER CRESCENT AND HILLSIDE CRESCENT, 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 Stoner Crescent and Hillside Crescent, Auchinleck, extending to 0.25 hectares (0.60 acres) or thereby, shown coloured black 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 9 September 2004, received a report from the Executive Director of Educational and Social Services in relation to the Best Value Review of Services for Looked After and Accommodated Children. The Report made a number of recommendations regarding services which were accepted by the Social Work Committee, including the proposal to develop two six bedded Childrens Units within East Ayrshire.
- 2.2** The Social Work Committee, at a meeting on 3 November 2005, approved the proposal to build one of the new six bedded Childrens Units on a site at Stoner Crescent and Hillside Crescent, Auchinleck and instructed the Executive Director of Educational and Social Services to seek the appropriate consents regarding the transfer of the land to the Department of Educational and Social Services.
- 2.3** The land identified as a potential site for this project is the site of former Council Housing previously demolished by the Council. The land is held on the Housing Revenue Account and accordingly any decision to declare the ground surplus to requirements requires the approval of this Committee
- 2.4** 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 will subject to the obtaining of all necessary statutory consents 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 this 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 Services for Looked After and Accommodated Children.
- 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 Stoner Crescent and Hillside Crescent, Auchinleck, extending to 0.25 hectares (0.60 acres) 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 24 October 2005 headed "Proposed Development of Childrens Unit in Auchinleck" submitted to the Social Work Committee on 3 November 2005 by the Executive Director of Educational and Social Services

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

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