

**EAST AYRSHIRE COUNCIL**

**EDUCATION COMMITTEE – 29 MAY 2001**

**PROPOSED DISPOSAL OF GROUND AT KILMARNOCK ACADEMY, ELMBANK DRIVE, KILMARNOCK**

**Report by the Director of Educational and Social Services**

**1. PURPOSE OF REPORT**

- 1.1** To request that the Committee declares surplus to requirements an area of ground at Kilmarnock Academy, Elmbank Drive, Kilmarnock extending to ten square metres or thereby shown hatched on the attached plan and authorises the Director of Development Services in conjunction with the Solicitor to the Council to agree the terms and conditions of disposal of the area of ground to Clyde Building Group plc.

**2. BACKGROUND**

- 2.1** The Education Committee previously declared the former Kilmarnock Academy Technical Building site shown delineated on the attached plan surplus to requirements on 30<sup>th</sup> June 1997.
- 2.2** The Personnel and Property sub-committee of the Policy and Resources Committee of 25<sup>th</sup> January 2000 authorised the Solicitor to the Council to conclude the disposal of the Technical Building site to Clyde Building Group plc for the conversion of the building to form a residential development on agreed terms and conditions. Missives were concluded for the disposal containing the usual suspensive conditions relating to statutory consents including the granting of planning permission.
- 2.3** On 9<sup>th</sup> March 2001 the Council as Planning Authority granted conditional planning consent to Clyde Building Group plc for the conversion which includes a condition that the vehicular access into the proposed development from Elmbank Drive requires to be improved by the creation of a sightline to comply with the Roads Division's requirements. The former Technical Building site does not include sufficient land to comply with this condition and accordingly the area of ground is required to be included in the disposal of the former Technical Building site, to enable the development to proceed.

**3. POLICY IMPLICATIONS**

- 3.1** It is normal Council policy to advertise ground for sale on the open market unless there are special reasons to do otherwise.

**3.2** It is considered the above policy does not apply in this instance as the only party with an interest in acquiring this area of ground is the developer of the adjoining former Technical Building site to enable them to comply with the planning condition by improving road safety and vehicular access to facilitate the development.

#### **4. FINANCIAL/LEGAL IMPLICATIONS**

**4.1** There are no specific financial or legal implications arising from the terms of this report.

#### **5. RECOMMENDATIONS**

**5.1** It is recommended that: -

- (i) The area of ground in question be declared surplus to requirements
- (ii) The Committee authorises the Director of Development Services and the Solicitor to the Council to agree the terms and conditions of the disposal of the area of ground to Clyde Building Group plc.

John Mulgrew  
Director of Educational and Social Services

AMcD/JBS  
14<sup>th</sup> May 2001

#### **LIST OF BACKGROUND PAPERS**

Nil

Members wishing further information should contact Allan Y. McDougall at 01563 576090

Implementation Officer: Lorna Hunter, Surveyor – Head of Economic Development – Property Unit

**AGENDA**