

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 21 MARCH 2002

PROPOSED TRANSFER OF GROUND ADJACENT TO DOON ACADEMY DALMELLINGTON TO THE EDUCATIONAL AND SOCIAL SERVICES DEPARTMENT

Report by the Director of Homes and Technical Services

1 PURPOSE OF REPORT

- 1.1** To request that the committee declare surplus to requirements an area of land adjacent to Doon Academy, Dalmellington, extending in total to 2448 square metres or thereby (crosshatched on the attached plan), for the purpose of transfer to the Educational and Social Services Department.

2 BACKGROUND

- 2.1** The Educational and Social Services Department recently identified part of the area as a potential extension to the existing playground at Doon Academy, Dalmellington. Subsequent title investigations have established that not only the initial area identified by Educational and Social Services but also part of the existing playground and part of the school swimming pool are erected on ground held on the adjacent Council Housing title.
- 2.2** The area of ground in question is currently held on the Housing Revenue Account and accordingly any decision to declare the ground surplus to requirements requires the approval of this Committee.

3. CONSULTATION

- 3.1** In the absence of a Local Member for this area at present, the Housing Chairman has been consulted and offers no objection to this disposal.
- 3.2** The Director of Development Services has been consulted and advises that the area in question has an existing use value of £420.

4. FINANCIAL IMPLICATIONS

- 4.1** The sum of £420 in respect of the transfer will be debited from the General Services Capital Account and credited 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. Any long term change of use will however require a formal transfer between departments and will fall to be treated as a disposal by one department to the other. 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 12 (7) of the Housing (Scotland) Act 1987.

6. RECOMMENDATIONS

- 6.1** It is recommended that:

- (i) The ground in question be declared surplus to requirements and, subject to the consent of the Scottish Executive in terms of Section 12 (7) of the Housing (Scotland) Act, be transferred to the Educational and Social Services Department; and
- (ii) The Director of Finance thereafter be authorised to regularise the transfer.

James Lavery
Director of Homes and Technical Services
5 March 2002

LIST OF BACKGROUND PAPERS

NIL

For further information contact Paddy Gray, Area Manager (Cumnock and Doon Valley) on 01563 555445

Implementation Officer:

AGENDA