

AGENDA ITEM NO 13

REPORT NO 153/16

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 12 APRIL 2016

DISPOSAL OF GROUND AT WHITSON WAY, MONTROSE

REPORT BY HEAD OF PLANNING AND PLACE

Abstract: This report relates to the disposal of an area of ground at Whitson Way, Montrose

1. RECOMMENDATION

1.1 It is recommended that the Committee agrees to the sale of an area of ground adjacent to 27 Whitson Way, Montrose to the owners of that property on appropriate terms and conditions, subject to:

(i) The purchasers meeting all costs in connection with the disposal.

2. BACKGROUND

2.1 The owners of 27 Whitson Way, Montrose, have applied to purchase an area of ground adjacent to their property. They propose to incorporate the area into their existing garden.

2.2 The owner has been advised that planning permission for a Change of Use of Public Open Space to Form Garden Ground is required. Consent may be conditioned to prevent removal of the three mature trees located within the area.

2.3 The Council's valuers, Messrs J & E Shepherd have valued the area of ground at £4,500.

2.4 The area of ground measures 94.8 square metres and is shown shaded on the plan attached as **Appendix 1**

2.5 Scottish Ministers recently introduced changes to consent to disposal of assets from Housing Revenue Accounts. Local authorities may now self-certify under a general consent process where the disposal price is in line with best consideration and an appropriate level of tenant and public consultation has taken place, instead of requiring consent from Scottish Ministers. The proposal is in line with best consideration. Scottish Ministers have indicated that for the disposal of redundant land for garden ground they would see any consultation as informal and limited to neighbouring properties only.

2.6 **Assessment of Risks.** An assessment has been undertaken and due to the nature of the subject a detailed risk assessment is not considered to be required. Other than the normal risks inherent in carrying out asset sales, no other significant risks have been identified.

2.7 **Property Implications.** Properties and assets affected by this report are all on the Housing Revenue Account – there are no implications for other corporate assets.

2.8 This area of ground is not considered to serve any purpose to the Council and is therefore surplus to requirements. The Committee is asked to approve the proposal.

3. FINANCIAL IMPLICATIONS

3.1 The financial implications arising from this report would be a capital receipt of £4,500 accruing to the HRA capital account.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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