

## AGENDA ITEM NO 8

REPORT NO 211 /15

### ANGUS COUNCIL

COMMUNITIES COMMITTEE – 26 MAY 2015

#### DISPOSAL OF GROUND AT MILTON STREET, MONIFIETH

#### REPORT BY HEAD OF PLANNING AND PLACE

**Abstract:** This report relates to the disposal of an area of ground at 30 Milton Street, Monifieth

### 1. RECOMMENDATION

- 1.1 It is recommended that the Committee agrees to the sale of an area of ground adjacent to 30 Milton Street, Monifieth to the owner of that property on appropriate terms and conditions, subject to:
- (i) Section 12 consent being received from the Scottish Ministers;
  - (ii) The purchaser meeting all costs in connection with the disposal.

### 2. BACKGROUND

- 2.1 The owner of 30 Milton Street, Monifieth, has applied to purchase an area of ground adjacent to his property. He proposes to incorporate the area into his existing garden, extending his garden and driveway. He intends to enclose the area by erecting a fence or wall around the perimeter.
- 2.2 The ground does not share a boundary on the same ground level with any neighbouring property therefore no neighbour consultation was required.
- 2.3 The owner has been advised that planning permission for a Change of Use of Public Open Space to Form Garden Ground is required.
- 2.4 The Council's valuers, Messrs J & E Shepherd, have valued the area of ground at £2500.
- 2.5 The area of ground measures 112.9 square metres and is shown shaded on the **attached plan**.
- 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.

### 3. FINANCIAL IMPLICATIONS

- 3.1 The financial implications arising from this report would be a capital receipt of £2,500 accruing to the HRA capital account.

### 4. HUMAN RIGHTS IMPLICATIONS

- 4.1 There are no Human Rights implications arising from this report.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 The issues contained in this Report fall within an approved category that has been confirmed as exempt from an equalities perspective.

## **6. CONCLUSION**

- 6.1 This area of ground is not considered to serve any purpose to the Council and is therefore surplus to requirements. As well as reducing the Council's maintenance obligation, the disposal will result in a capital receipt of £2,500 accruing to the HRA capital account. Consequently it is recommended that the ground is sold.

**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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