

AGENDA ITEM NO 9

REPORT NO 212/15

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 26 MAY 2015

DISPOSAL OF GROUND AT STRATHMORE TERRACE, GLAMIS

REPORT BY HEAD OF PLANNING AND PLACE

Abstract: This report relates to the disposal of an area of ground at Strathmore Terrace, Glamis.

1. RECOMMENDATION

- 1.1 It is recommended that the Committee agrees to the sale of an area of ground adjacent to 20 Strathmore Terrace, Glamis 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 solicitor acting for the owner of 20 Strathmore Terrace, Glamis, has advised the Council that his client has erected a garage on an area of council-owned ground. The owner of the property, purchased from Scottish Homes in 1992, erected the garage approximately a year after purchasing her home. The property is now in the process of being sold and the solicitor has discovered that the garage was erected partly on ground that falls outwith his client's title.
- 2.2 In order that the sale of the property can proceed with clear title to the extent of the ground that is occupied, the owner wishes to purchase the ground on which the garage is situated.
- 2.3 The Planning Enforcement Officer has confirmed that, as the land has been in private use for over 10 Years, a retrospective application for change of use planning permission is not required.
- 2.4 The Council's valuers, Messrs J & E Shepherd, have valued the area of ground at £2,500.
- 2.5 The area of ground measures 11.1 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 having been occupied by the owner of 20 Strathmore Terrace for over 20 years. It is therefore surplus to requirements. The disposal of this ground will result in a capital receipt of £2,500 accruing to the HRA capital account and 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.

Vivien Smith, Head of Planning and Place

E-mail: CommunitiesBusinessSupport@angus.gov.uk