

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 24 NOVEMBER 2020

SURPLUS PROPERTY

REPORT BY DIRECTOR OF INFRASTRUCTURE

ABSTRACT

The parcels of land identified in this report are surplus to the requirements of the Council and it is proposed to dispose of the ground to the owners of the adjoining properties.

1. RECOMMENDATION

It is recommended that the Committee:

- (i) Approves that the land listed in this report, and shown outlined in **Appendices 1 and 2**, are declared surplus to the Council's requirements and disposed of to the owners of the adjoining properties.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

The proposal contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

ECONOMY

- An inclusive and sustainable economy
- Angus is a good place to live in, work and visit.

PLACE

- An enhanced, protected and enjoyed natural and built environment.

3. BACKGROUND

The land to the north-east of number 109 River Street, Brechin, between the garden ground pertaining to the property and that of the neighbouring tenanted property at number 111, is owned by the Council and held on the Housing Revenue Account. The land represents a boundary wall erected by the owners of number 109, shortly after purchasing the property from the council in 1985. The extent of the title for the property extends only to the inside face of the wall and the owners wish to amend this to include the land on which they erected the wall.

The land to the south-west of 45 Arbirlot Road, Arbroath is also owned by the Council and held on the Housing Revenue Account. After purchasing the property at 45 Arbirlot Road under the Right to Buy in 1983, the owners formed a driveway on the land. It only came to light recently, whilst in the process of selling the property, that this land was not included within the Title.

4. CURRENT POSITION

The Service Leader for Housing has no objection to the disposal of both parcels of land, given that they do not form part of any other tenancy and are therefore surplus to requirements.

5. PROPOSALS

It is proposed that the land to the north-east of 109 River Street, Brechin, shown on the deed plan attached at **Appendix 1**, and the land to the south-west of 45 Arbirlot Road, Arbroath, shown on the deed plan attached as Appendix 2, are dealt with under the general consent for disposal of HRA ground, and declared surplus to the requirements of the Council, therefore allowing the land to be sold to the owners of the adjacent properties.

6. FINANCIAL IMPLICATIONS

The Service Leader for Housing has agreed that there is no value to the land at 109 River Street (Appendix 1), therefore no consideration is required. The owners will meet the council's legal fees and outlays in connection with the disposal.

The owner of 45 Arbirlot Road (Appendix 2), has agreed to meet the independently valued cost of the ground - £1,000, as well as the council's appropriate legal fees and outlays in connection with the disposal. The £1,000 capital receipt will be allocated to the Housing Revenue 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.

REPORT AUTHOR: Gavin Balfour, Service Leader - Assets
EMAIL DETAILS: Communities@angus.gov.uk

List of Appendices: Location plan of site to be declared surplus and disposed to the owner of the adjoining property.

Appendix 1 – Deed plan of land at 109 River Street, Brechin.

Appendix 2 – Deed plan of land at 45 Arbirlot Road, Arbroath.