

**South Ayrshire Council**

**Report by Head of Property and Risk  
to Leadership Panel  
of 14 June 2016**

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**Subject: Disposal of Land at Nether Auchendrane, by Ayr**

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**1. Purpose**

1.1 The purpose of this report is to seek Panel consent to sell Council-owned land at Nether Auchendrane, approximately 3 miles south of Ayr.

**2. Recommendation**

**2.1 It is recommended that the Panel:**

**2.1.1 agrees to convert the long lease of land extending to 2.18 hectares or thereby to ownership to Mr and Mrs A Lamont;**

**2.1.2 agrees to sell the adjoining land which extends to 0.43 Hectares, which, in addition to the land in 2.1.1, equates to a total of 2.61 hectares or thereby, to Mr and Mrs A Lamont for £40,000; and**

**2.1.3 grants delegated authority to the Executive Director – Resources, Governance and Organisation to conclude this transaction on these and such other reasonable terms and conditions as are appropriate.**

**3. Background**

3.1 The Council currently leases 2.18 Hectares to the owner of the adjacent Nether Auchendrane House and owns 0.43 Hectares. The total area is 2.61 hectares as shown in Appendix 1.

3.2 The Council acquired Nether Auchendrane House and the adjacent land in 1949 for use as a care home. Following closure of the home, Nether Auchendrane House was sold by the Council in the 1980's, although it retained ownership of surrounding land.

3.3 In 2006, the Council agreed to lease the area extending to approximately 2.18 Ha, shown cross-hatched in Appendix 1, for a period of 99 years in return for a one off grassum payment of £30,000 and a rental of £1 per annum. The Council retained the smaller single hatched area which extends to approximately 0.43 Ha as shown in Appendix 1. This area cannot be sold separately as it is landlocked from the access road by the area which is leased to Mr and Mrs Lamont until 2105.

3.4 The leased area and adjoining area owned by the Council were declared surplus to the Council's requirement by the Leadership Panel of 15 March 2016. It should be highlighted, however, that the area was incorrectly noted as being 2.65 hectares in the Leadership Panel report which was approved. The area has been re-checked and found to be approximately 2.61 hectares.

#### **4. Proposals**

4.1 Following negotiations between the leaseholders and the Council's Estates section, it is proposed that the area of land currently leased to Mr and Mrs Lamont which extends to 2.18 hectares is converted from long lease to ownership and that the adjacent area of land which extends to 0.43 Ha is sold for £40,000. This equates to £15,325 per hectare (£6,200 per acre) and is considered to represent market value for land of this agriculture/ rural nature.

4.2 The Council's Planning service has advised that the area is within the greenbelt and there are environmental/ heritage designations on the site. As a consequence, the potential for any type of development in this location is extremely limited

4.3 The prospective purchaser has agreed to meet the costs of the purchase as well as the Council's legal costs up to a maximum of £2,000.

#### **5. Legal and Procurement Implications**

5.1 The recommendations in this report are consistent with legal requirements. Legal Services will be required to draft formal documentation and conclude the sale.

5.2 There are no procurement implications arising from this report.

#### **6. Financial Implications**

6.1 Declaring this asset surplus will allow it to be sold, thus generating a modest capital receipt for the Council. The Council will also no longer have a maintenance liability for the 0.43 hectares which are held in its ownership.

#### **7. Human Resources Implications**

7.1 Not applicable.

## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 The Council will have no ownership at this location and only statutory control over any future development.

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 There is a risk that failure to agree this report may result in delayed or loss of a capital receipt and the Council will remain liable for any maintenance costs associated with the area which remains under its control.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as Appendix 2.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to the Council strategic objective of 'Improve the way that we work as a Council' and within that to the outcome 'Land and building assets that are well maintained, fit for purpose and affordable'.

## **13. Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Robin Reid, Portfolio Holder for Resources and Performance, and the contents of this report reflect any feedback provided.

13.3 Consultation has taken place with the Planning service, Legal Services and the Parks service in relation to this proposal.

**14. Next Steps for Decision Tracking Purposes**

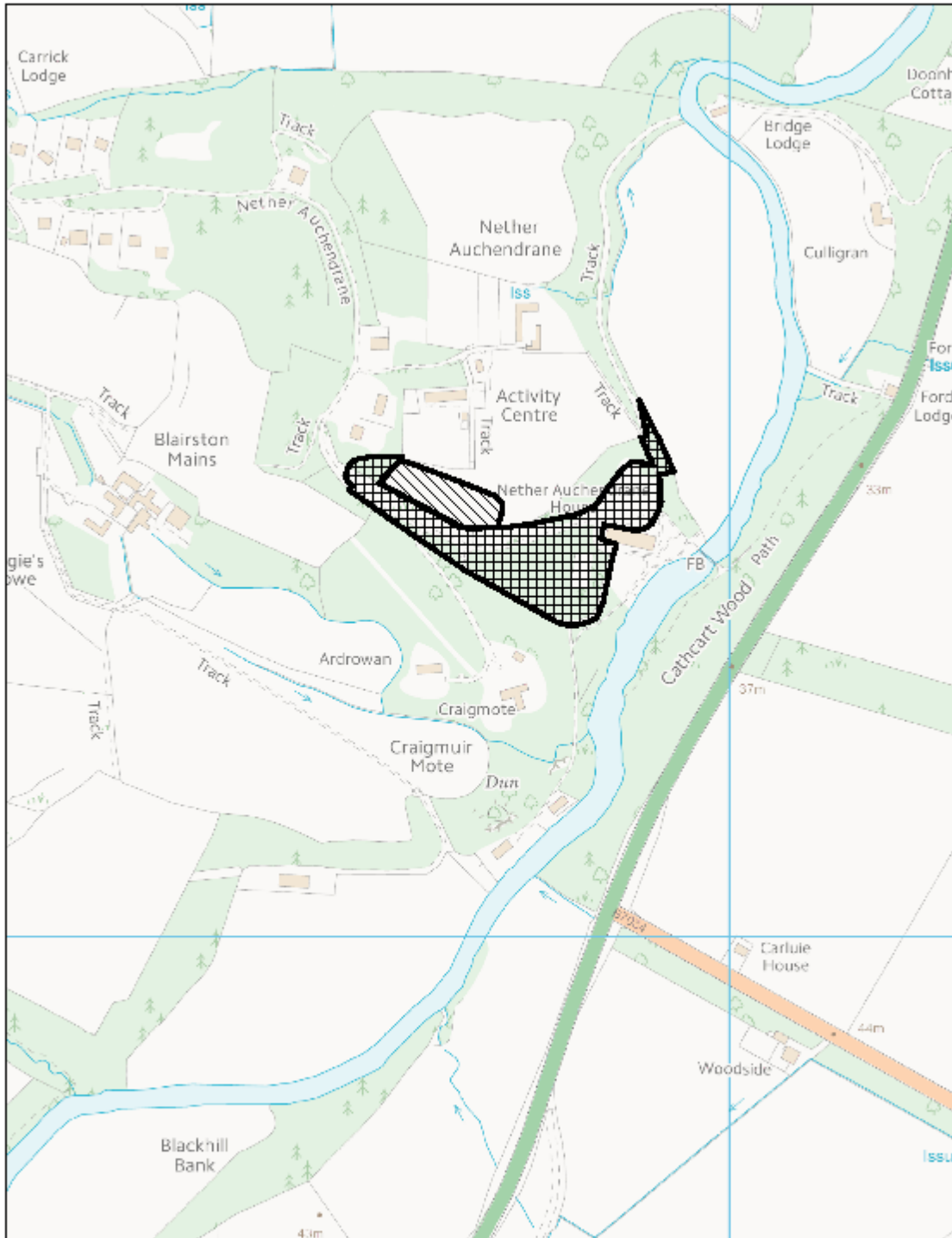
14.1 If the recommendations above are approved by Members, the Head of Property and Risk will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b><i>Implementation</i></b>	<b><i>Due date</i></b>	<b><i>Managed by</i></b>
Sale to be concluded	31 December 2016	Head of Property and Risk

**Background Papers**     **Report to Leadership Panel of 15 March 2016 – Surplus Land and Buildings (Members only)**

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**Date: 3 June 2016**



### Land at Nether Auchendrane by Ayr

Scale 1:5000



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## 1. Proposal details

Proposal Title <b>Disposal of Land at Nether Auchendrane, Ayr</b>	Lead Officer <b>David Anderson</b>
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2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this proposal? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire	No	No
People from different racial groups, ethnic or national origin.	No	No
Women and/ or men (boys and girls)	No	No
People with disabilities	No	No
People from particular age groups for example Older people, children and young people	No	No
Lesbian, gay, bisexual and heterosexual people	No	No
People who are proposing to undergo, are undergoing or have undergone a process to change sex	No	No
Pregnant women and new mothers	No	No
People who are married or in a civil partnership	No	No
People who share a particular religion or belief	No	No
Thematic Groups: Health, Human Rights, Rurality and Deprivation	No	No

3. Do you have evidence or reason to believe that the proposal will support the Council to:

General Duty and other Equality Themes	Level of Negative and/ or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	-
Promote equality of opportunity between particular communities or groups	-
Foster good relations between particular communities or groups	-
Promote positive attitudes towards different communities or groups	-
Increase participation of particular communities or groups in public life	-
Improve the health and wellbeing of particular communities or groups	-
Promote the human rights of particular communities or groups	-
Tackle deprivation faced by particular communities or groups	-

## 4. Summary Assessment

<b>Is a full Equality Impact Assessment (EQIA) required?</b> (A full EQIA must be carried out on all high and medium impact proposals)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Rationale for decision:</b> <p style="text-align: center;"><b>The proposal does not have a significant negative or positive impact on any particular group.</b></p>	
Signed : <b>Donald Gillies</b> Head of Service	
Date: <b>25 May 2016</b>	Copy to <a href="mailto:equalities@south-ayrshire.gov.uk">equalities@south-ayrshire.gov.uk</a>