



## **Agenda Item 16**

**Land Surplus to Requirements –  
Lithgow Place, Denny**

## Falkirk Council

**Title:** Land Surplus to Requirements – Lithgow Place, Denny

**Meeting:** Executive

**Date:** 15 January 2019

**Submitted By:** Director of Corporate & Housing Services

### **1. Purpose of Report**

- 1.1 The purpose of this report is to seek approval for an area of land, held on the Housing Revenue Account, to be declared surplus to operational requirements for disposal.

### **2. Recommendation**

- 2.1 **It is recommended the Executive agrees to declare the land at Lithgow Place, Denny as surplus to operational requirements and authorise the Director of Development Services to agree terms for and conclude the disposal of the land.**

### **3. Background**

- 3.1 The Council's Corporate Asset Management Strategy and the Housing Asset Management Plan includes objectives to secure operational efficiencies through asset realisation, including the disposal of land held on the Housing Revenue Account (HRA) which is surplus to operational requirements.
- 3.2 There are no operational requirements to retain the site addressed in this report and the disposal of this will generate a capital receipt to the HRA.

### **4. Considerations**

- 4.1 The property is a grass covered area of land bounded by neighbouring houses to the north. The west boundary has the M80 running alongside it. The southern boundary is bounded by a line of trees. To the east is housing and some open space. The plan attached in Appendix 1 provides more detail on the site.
- 4.2 The site area is approximately 0.73 Hectares (1.80 Acres) in size, of which only approximately 0.40 Hectares (0.988 Acres) is suitable for development due to the steepness of the ground falling to the south.
- 4.3 The purchaser of the site will require to apply for and be granted planning permission for a residential development. The Planning and Environment Unit advise that the land is considered suitable for residential development.
- 4.4 The developer of the houses to the north and east of the site ("the developer") has ownership of a narrow "ransom strip" of approximately 95 sq.m at the north eastern edge of the site at Lithgow Place, this effectively

stops the Council being able to access the site for development. It has been confirmed that the Council has no rights of access over the ransom strip. Lithgow Place is the only economic route for vehicular access to be taken to the site. Consequently, the site is effectively land locked.

- 4.5 Offers have been made by the Council to the developer to acquire this strip of ground in order to develop the site, which has been assessed as being able to accommodate a maximum of 10 units. These offers were rejected by the developer.
- 4.6 The Strategic Housing Investment Plan (SHIP) was reported to Executive in October 2018. The SHIP now includes a significant development proposal for up to 200 affordable housing units in the Denny area. There are also a number of other Council new build sites planned in the surrounding area, including a project in Banknock which aims to deliver 103 new Council homes. Given the restrictions in securing access to the site and the significant Council new build planned in the area, it is proposed the site is declared surplus.
- 4.7 It is proposed to sell the site to the developer by negotiated agreement. This would involve the site being independently valued by the District Valuer. The land would be sold to the developer at a price based on the assumption that access is available (the developer having ownership of the ransom strip), otherwise negotiations would be terminated.
- 4.8 There may be the need to adjust the purchase price as suggested by the District Valuer to reflect the costs involved in addressing abnormal ground conditions or other extra normal development costs where valid. These can only finally be assessed following site investigations to be carried out by the purchaser at their own expense. Where these costs materially impact on the site value, they will be verified by the Council officers and only approved on the principle of obtaining 'best price' on disposal of Council assets and on approval of the Director of Development Services.

## **5. Consultation**

- 5.1 Local members have been consulted on the proposals, with 2 members in support of the recommendation. 1 member requested additional information which was provided and no further communication was received and 1 member did not respond.
- 5.2 The Housing Asset Management Tenants' Group have also been consulted and the tenant representatives had no objection to the disposal of this asset.

## **6. Implications**

### **Financial**

- 6.1 If progressed to a conclusion, the sale of the asset will generate a capital receipt for the HRA.

### **Resources**

- 6.2 None.

## **Legal**

- 6.3 The disposal will be subject to conclusion of all necessary legal agreements.

## **Risk**

- 6.4 There are no significant risks associated with this proposal.

## **Equalities**

- 6.5 Not applicable.

## **Sustainability/Environmental Impact**

- 6.6 The site is not considered to be a high quality open space and therefore disposal is not considered to have any significant environmental/sustainability impacts.

## **7. Conclusions**

- 7.1 It is recommended the Executive agrees to declare the land surplus to requirements and authorises the Director of Development Services to dispose of the site to the developer by negotiated agreement.

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Director of Corporate & Housing Services

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Date: 19 December 2018

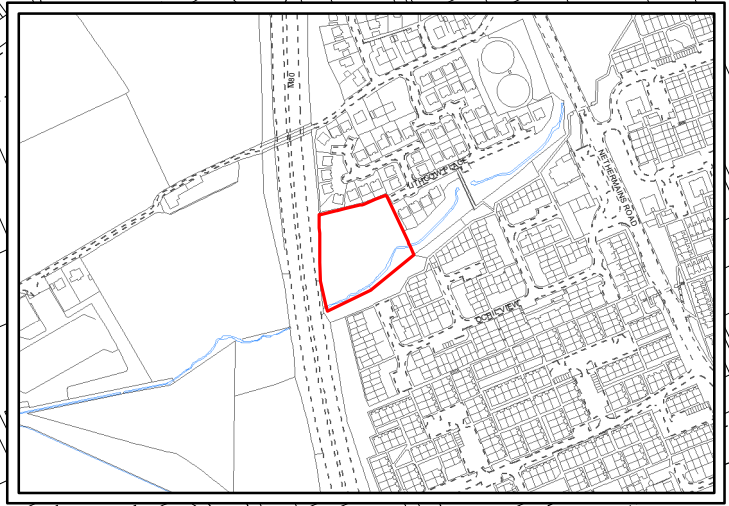
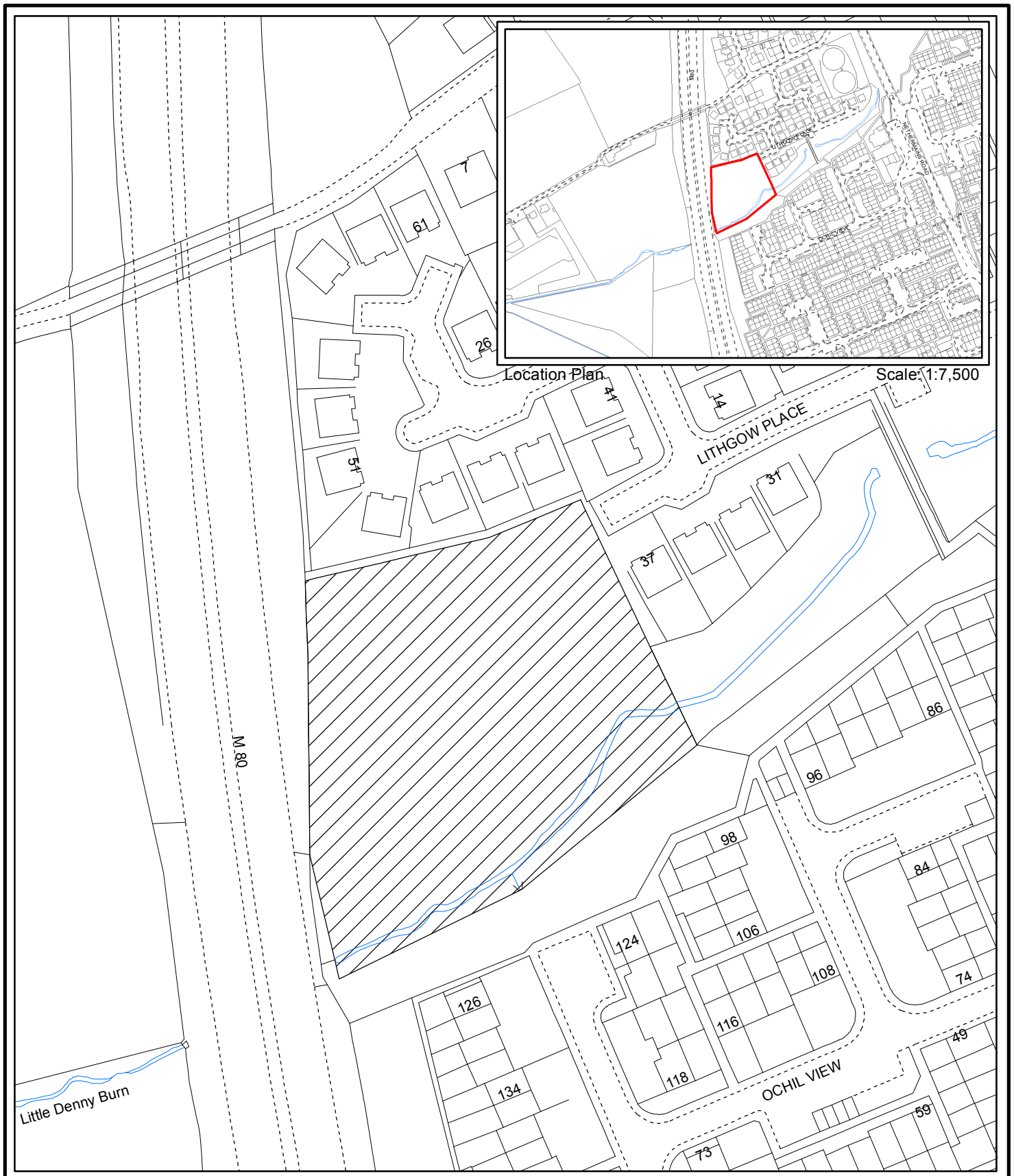
## **Appendices**

Appendix 1: Map showing location of asset surplus to operational requirements

## **List of Background Papers:**

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:


- Corporate Asset Management Strategy
- Housing Asset Management Plan



Location Plan

Scale: 1:7,500

0 20 40 80 Meters

 7033.87 sqm



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Scale: 1:1,250

Date: 24.10.2018



Subject

Land at Lithgow Place, Denny

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