

Finance and Resources Committee

10.00a.m, Thursday, 12 May 2016

Disposal of Land adjacent to 257a Colinton Road, Edinburgh

Item number	8.2
Report number	
Executive/routine	Routine
Wards	9 – Fountainbridge/Craiglockhart

Executive summary

Mr and Mrs J and D Terris, the owners of the cottage at 257a Colinton Road, encroached onto 26.81 sq metres of Council owned land and have been using it as garden ground.

The owners wish to purchase the ground and this report seeks authority to sell the ground on the main terms set out in the report.

Links

Coalition pledges	P8
Council outcomes	CO16
Single Outcome Agreement	SO4

Disposal of Land adjacent to 257a Colinton Road, Edinburgh

Recommendations

That Committee:

- 1.1 Approves the disposal of approximately 26.81 sq m of land adjacent to the cottage at 257a Colinton Road to Jenny and David Terris, on the terms and conditions outlined in this report and on other terms to be agreed by the Acting Executive Director of Resources.

Background

- 2.1 The cottage at 257a Colinton Road is owned by J and D Terris having been sold by the Council in 1990. The property lies adjacent to the Firrhill Day Centre and former stables.
- 2.2 The owners have encroached into an adjoining 26.81 sq m of Council owned ground, shown edged red on the attached plan, utilising it as garden ground.
- 2.3 In order to resolve the encroachment issue, Mr and Mrs Terris wish the Council to sell the ground to them.

Main report

- 3.1 Provisionally agreed terms for the sale of the ground are as follows:
 - Subjects: Ground extending to 26.81 square metres or thereby;
 - Purchaser: Jenny and David Terris;
 - Price: £4,000. This sum reflects the market value for the site; and
 - Costs: The purchaser is to pay the Council's surveyors and legal fees.
- 3.2 The Council is currently marketing the former Firrhill Stables which lie to the East of the land which is the subject of this report as shown hatched on the plan. Once the former stables are sold, the subject site will be isolated from the rest of the Council's land ownership and is of no operational benefit. Further, it is considered that the subject land would not add value to the sale of the stables, which are likely to be converted as a residential unit.

Measures of success

- 4.1 The Council will receive a capital receipt for land which has no real operational benefit and will resolve the current encroachment issue.

Financial impact

- 5.1 A capital receipt of £4,000 payable to the Capital Investment Programme in the financial year 2016/17.

Risk, policy, compliance and governance impact

- 6.1 The proposed disposal will formalise the title position. There is a risk that the sale does not complete, leaving the existing problem still to be resolved.
- 6.2 If the sale does not go through, the intention is to include the land in the sale of the nearby Firrhill Stables, which is currently on the market. There is, however, no guarantee the purchaser of the stables would agree to take it.

Equalities impact

- 7.1 By selling this land to the owners of the cottage, the right to legal security will be enhanced by the transfer of legal title to the current occupiers of the site.
- 7.2 The rights to health, standard of living and individual, family and social life will be enhanced because the cottage will have a guaranteed outdoor area from which the owners can benefit.
- 7.3 As the sale is an off market transaction, there is a potential infringement of the rights of other interested parties. Given the size of the site, the right of access to the cottage over the land and its location right next to the cottage, it is unlikely that another purchaser would be interested. In any event, any potential impact is considered to be proportionate and justifiable given the much greater impact on the proposed purchasers if the land was sold to another.

Sustainability impact

- 8.1 The disposal of this land will have no impact on sustainability because the sale will formalise the existing position.

Consultation and engagement

- 9.1 As the land lies within the grounds of Firrhill Day Centre, the staff there have been kept up to date regarding the proposed sale.

Background reading/external references

N/A.

Hugh Dunn

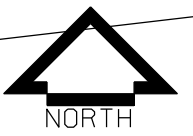
Acting Executive Director of Resources

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Links

Coalition pledges	P8 – Make sure the city’s people are well-housed, including encouraging developers to build residential communities, starting with brownfield sites.
Council outcomes	CO16 – Well-housed – People live in a good quality home that is affordable and meets their needs in a well managed Neighbourhood.
Single Outcome Agreement	SO4 – Edinburgh’s communities are safer and have improved physical and social fabric.
Appendices	Location plan.



LOCATION PLAN

SCALE 1:1250

SITE PLAN

SCALE 1:200

• EDINBURGH •
 THE CITY OF EDINBURGH COUNCIL
 PROPERTY AND FACILITIES MANAGEMENT
 RESOURCES

Garden Ground
 257A Colinton Road
 Edinburgh

DATE	29/03/2016
SURVEYED BY	F McDonald
DRAWN BY	F McDonald
FILE NO.	
NEG. NO.	NT2269/A3/1656 A

AREA SHOWN DELINEATED RED - 26.81 sq.m.