REPORT NO 80/04

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

22 JANUARY 2004

PROPOSED SALE OF OFF-STREET CAR PARK AT CAIRNIE LOAN, ARBROATH

REPORT BY THE DIRECTOR OF ROADS

ABSTRACT
This report advises that the Angus Council Off-Street Car Park at Cairnie Loan, Arbroath is considered surplus to the Roads Department’s requirements and proposes that the Director of Property Services be remitted to investigate the transfer/disposal of the land in accordance with Section 17 of the Financial Regulations.

1 RECOMMENDATIONS

1.1 It is recommended that the Committee agree:-

(i) to declare the Cairnie Loan Car Park, Arbroath surplus to the Roads Department’s requirements;

(ii) to instruct the Director of Property Services to determine any possible alternative use by another Council department, and to report in due course to the Resources and Central Services Committee, all in accordance with Section 17 of the Council’s Financial Regulations;

(iii) to note that the Cairnie Loan, Arbroath car park is not included in the Angus Council (Off-Street Car Parks) Order 1998 and therefore does not require to be formally deleted from the Schedule;

(iv) to note the servicing and access/egress arrangements for the adjacent public house and private dwelling house.

2 INTRODUCTION

2.1 Report No.1137/03 regarding the car park at Cairnie Loan was considered by the Infrastructure Services Committee at its meeting on the 16 October 2003. The car park mainly provides private parking facilities for the adjacent public house and occasionally for the nearby junior football ground. Due to its low usage as a public car park it is considered surplus to requirements by the Director of Roads.

2.2 The Committee agreed that consideration of the matter be deferred pending further information on the usage of the car park and access arrangements required for the public house and nearby private dwelling house.
2.3 A location plan showing the Car Park is attached (Appendix A).

3 DETAILS

3.1 The function room of the public house provides a facility for several local organisations including the Brownies, Neighbourhood Watch meetings, Playgroups and after school clubs. There are also various regular events held in the function room and in particular a weekly bingo night which is held on a Thursday evening.

3.2 These bingo sessions are estimated to generate the largest number of vehicles using the car park at any one time and the car park was therefore visited on two Thursday evenings in November 2003. On these two evenings a total of 21 and 22 vehicles were observed using the car park. On the second evening there were also 3 vehicles parked on-street in Cairnie Loan, giving a total of 25 vehicles parked adjacent to the public house whose owners could have been attending the function.

3.3 Because of the poor surface condition of the car park, car parking bays are not delineated. However with a properly designed and marked layout, the car park area could safely provide parking for approximately 40 cars. If the car park was not available for use the adjacent streets could safely accommodate any displaced vehicles.

3.4 The adjacent public house is currently serviced from the car park with approximately 7 lorries (including environmental health vehicles) picking up or delivering to the public house during the week. There is however no formal access agreement between the Council and the owners of the public house and therefore there would be no requirement for the Council to maintain access via the car park. Alternative access for service vehicles is available via Cairnie Loan. However the pedestrian link between the street and the keg store is significantly longer and less convenient than the short link from the car park.

3.5 The adjacent private dwelling house was built in 1995 and also takes access from the car park. As per the public house there is no formal access agreement in place between the Council and the owner of the house. Alternative access is available through the curtilage of the public house but it is not known whether there is an access agreement in place between the owner of the dwelling house and the owners of the public house.

3.6 The car park is not included in the Angus Council (Off-Street Car Parks) Order 1998 and therefore does not require to be formally deleted from the Schedule.

3.7 While the obvious alternative use of the car park would be as a private car park for the public house (and the owners of the public house have expressed an interest in acquiring the land for this purpose) the area may have potential for development. The Director of Planning and Transport has advised that there are no planning reasons for not allowing housing to be built on the land that the car park is situated on. The Roads Department and the Environmental and Consumer Protection Department would require to be consulted, but given that the private dwelling house was built adjacent to the public house as recently as 1995, the precedent has been set. There
would therefore be no apparent reason to refuse an application for further housing on the site.

3.8 Before considering the disposal of the car park the Director of Property Services will investigate whether any other department of the Council has an interest in making use of the land in accordance with Section 17 of the Council’s Financial Regulations.

4 FINANCIAL IMPLICATIONS

4.1 As stated in the report 1137/03 the annual running costs for the Cairnie Loan car park are in the region of £1,500 per annum including rates and water charges. These costs are charged to the car park trading account with the normal provision for recovery of annual deficits from the car park reserve fund for as long as such a fund may exist.

4.2 The cost of essential maintenance works to bring the car park up to a suitable standard is estimated to be in the region of £15,000.

4.3 The income from the sale of the car park would be credited to the car park reserve fund and could then be drawn on to cover on-going expenditure on other Council car parks in future years. The financial pressures on the car park reserve fund were highlighted in report 667/03 to this Committee in June 2003.

5 HUMAN RIGHTS IMPLICATIONS

5.1 There are no human rights implications arising from the proposals in this report.

6 CONSULTATION

6.1 The Chief Executive, the Director of Law and Administration, the Director of Finance, the Director of Environmental and Consumer Protection, the Director of Planning & Transport and the Director of Property Services have been consulted in the preparation of this report.

7 CONCLUSION

7.1 The Cairnie Road, Arbroath Car Park is considered surplus to the Roads Department’s requirements. The car park costs £1,500 per annum to operate and is in need of essential maintenance works at significant cost. It is therefore proposed that the Director of Property Services investigate the possible transfer/sale of the land in accordance with Section 17 of the Council’s Financial Regulations.

R W McNeil
DIRECTOR OF ROADS
NOTE:

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this Report:-


BAC/JSG
15 December 2003
REPORTS/cairnie.carpark.sale