

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE – 13 OCTOBER 2009
CORPORATE SERVICES COMMITTEE – 22 OCTOBER 2009

A92 SURPLUS LAND

JOINT REPORT BY THE DIRECTOR OF INFRASTRUCTURE SERVICES AND
DIRECTOR OF CORPORATE SERVICES**ABSTRACT**

This Report outlines the proposal to declare land at the A92 surplus to the requirements of Angus Council and to offer the surplus land back to the original owners of the land.

1. RECOMMENDATION

- 1.1 It is recommended that the Infrastructure Services Committee agree to declare surplus to requirements twelve plots of land along the length of the A92 as detailed in **Appendix I** hereto.
- 1.2 It is recommended that the Director of Corporate Services be authorised by the Corporate Services Committee to negotiate the appropriate terms and conditions for disposal of the land.

2. INTRODUCTION

- 2.1 Report number 1434/01 A92 Project: Issue of Scottish Ministers' Decision and Consequential Action, presented to Angus Council on 13 December 2001 authorised the then Director of Law & Administration to purchase the necessary land associated with the project works.

3. DETAILS**3.1 Land Surplus to Requirements**

- 3.1.1 As the construction of the road is now complete, work is ongoing to identify any land not required for the construction operation and maintenance of the new road and declare it surplus to requirements. Twelve plots of land along the length of the A92 have been identified and the Infrastructure Services Committee is asked to agree to this land being declared surplus to requirements. In terms of the Crichton Down rules, surplus land is first offered for sale to the original landowner. Should the original landowner decline to reacquire the land then it can be sold on the open market.
- 3.1.2 It is recommended that the Director of Corporate Services be authorised to negotiate the terms and conditions of the sale of the land and report the outcome of the disposal negotiations to a subsequent meeting of the Corporate Services Committee.

4. FINANCIAL IMPLICATIONS

- 4.1 It is considered that the land along the length of the A92 is surplus to requirements and in line with the Crichton Down rules shall be offered back to the previous owner at market value. The landowner will meet the Council's fees and legal and surveyors fees.
- 4.2 In accordance with previous policy in these circumstances the capital receipt for the sale will be credited to the Roads Capital Account to off-set other costs arising from associated acquisition and compensation costs relating to the A92 project.

5. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights implications arising from this Report.

6. EQUALITIES IMPLICATIONS

The issues dealt with in this Report have been the subject of consideration from an equalities perspective (as required by legislation). An [equalities impact assessment](#) is not required.

7. PROPERTY IMPLICATIONS

There are no property implications specific to this Report.

8. CONSULTATION

The Chief Executive, Head of Law and Administration, Head of Finance and Head of Property have been consulted in the preparation of this report.

ERIC LOWSON
DIRECTOR OF INFRASTRUCTURE SERVICES

COLIN McMAHON
DIRECTOR OF CORPORATE SERVICES

NOTE: No 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.

L&A/SCH/LJR

APPENDIX I

- 1 (a) Land at Five Gables, extending to 220 square metres shown hatched on [Plan 1](#).
- (b) Servitude right of access over 35 square metres of land at Five Gables shown cross-hatched on **Plan 1**.
2. Land at Upper Victoria extending to 2850 square metres shown hatched on [Plan 2](#).
3. Land at Muirdrum extending to 1310 square metres and 495 square metres shown hatched on [Plan 3](#).
4. Land at Victoria Street, Monifieth extending to 310 square metres shown hatched on [Plan 4](#).
5. Land at Upper Victoria extending to 225 square metres shown hatched on [Plan 5](#).
6. Land at Ardownie Farm extending to 3585 square metres shown hatched on [Plan 6](#).
7. Land at Ardownie Farm extending to 485 square metres shown hatched on [Plan 7](#).
8. Land at South Grange, Monifieth extending to 450 square metres shown hatched on [Plan 8](#).
9. Land at Culmhor and Brax Cottages extending to 114 square metres shown hatched on [Plan 9](#).
10. Land at Culmhor Cottage extending to 321 square metres shown coloured hatched on [Plan 10](#).
11. Land at Brax Cottage extending to 240 square metres shown hatched on [Plan 11](#).