AGENDA ITEM NO 4
REPORT NO 416/11

ANGUS COUNCIL
CORPORATE SERVICES COMMITTEE – 9 JUNE 2011
DISPOSAL OF LAND AT LOCHSIDE ROAD FORFAR DD8 3JE
REPORT BY THE DIRECTOR OF CORPORATE SERVICES

ABSTRACT: This report provides an update on negotiations for the proposed disposal of a site at Lochside Road, Forfar.

1. RECOMMENDATIONS

It is recommended that the Committee note the position in respect of negotiations for the sale of a site at Lochside Road, Forfar.

2. BACKGROUND

Developers of a residential development at Lochside Road, Forfar have advised the Head of Property that an area of land included in their completed development is owned by Forfar Common Good. The area in question is shown hatched on the plan at Appendix 1 with the total development area shown outlined black. As the developer does not own the entire site he has been unable to register a Title in the Registers of Scotland. Until a Title has been registered he is not in a position to dispose of the flats in the completed development.

The Corporate Services Committee of 2 September 2010 (Report No. 619/10) approved the disposal of land at Lochside Road, Forfar on terms and conditions to be negotiated by the Head of Property.

3. CURRENT POSITION

The Head of Property instructed Messrs. J. & E. Shepherd to negotiate terms for the disposal of the site. J & E Shepherd have now advised that the solicitor acting on behalf of the developer erroneously included the Council’s site when acquiring land for the development. J. & E. Shepherd have submitted a valuation figure to the solicitor who has advised that he has passed this to the company holding his professional indemnity insurance. Transfer of the land to the developer will not be concluded until the value of the site has been agreed and the necessary legal conveyancing completed with the purchase price paid.

A further complication to these negotiations has arisen with notification that the developer of the flats, FMS Properties Ltd, has gone into administration.

4. PROPOSALS

Negotiations will now be progressed either through the Administrator or with the insurer, to reach an agreed value for the land.

5. FINANCIAL IMPLICATIONS

The disposal of the site will result in a capital receipt for the Forfar Common Good Account.

6. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights Act implications specific to this report.
7. **EQUALITIES IMPLICATIONS**

The issues dealt with in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

8. **CONSULTATION**

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

9. **CONCLUSION**

Negotiations for the disposal of land at Lochside Road, Forfar will now be progressed either with the Administrator or with the company’s insurer.

**REFERENCES**

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<td>Proposed Disposal of Land at Lochside Road Forfar</td>
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Appendix 1 Plan identifying land in ownership of Forfar Common Good

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 the above report.

Property/JP/NCM/LCA
Appendix 1  Plan identifying land in ownership of Forfar Common Good

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<th>Development site shown outlined black. Proposed disposal shown hatched black 04 sq m or thereby.</th>
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