

DISPOSAL OF 14/16 YOUNG AVENUE, LINCLUDEN, DUMFRIES

1. Reason for Report

Members are asked to agree to the disposal of 14/16 Young Avenue, Lincluden, Dumfries to an appropriate landlord in order to ensure service continuity for adults with disabilities.

2. Report Summary

2.1 The property 14/16 Young Avenue, Lincluden, Dumfries, is held by Adult Services to provide care and support for adults with disabilities.

2.2 The property has been marketed and offered for sale, subject to the existing tenancies, but no offers were received.

2.3 It is now proposed to dispose of the property for a consideration of £1 by negotiated sale to the care provider, Key Housing.

2.4 The Council would expect that the sitting tenants would be offered a Scottish Secured Tenancy by the purchaser; this would be a condition of the sale.

2.5 The Council will introduce safeguards to ensure that Key Housing will continue to provide the service and a "clawback" where, if they give up providing the service and sell, the Council would get a share of the future capital receipt.

3. Recommendation

Members are asked to agree to dispose of 14/16 Young Avenue, Lincluden, Dumfries, by negotiated sale to Key Housing for £1 to continue service continuity for adults with disabilities.

4. Corporate Plan Links and Contribution

The proposal in this report contributes to Corporate Plan principles of local decision making and strong financial management.

5. Resources/Value for Money Assessment

The Council will secure service continuity without incurring the cost of compliance works to meet the requirements of regulations for houses in multiple occupancy.

6. Risk Assessment

6.1 If the Council does not dispose of the property, expenditure would be required to bring the property up to standards required for Houses of Multiple Occupancy Regulations.

6.2 If the property is not sold the Council does not have the resources to act as an appropriate Landlord for the vulnerable people currently living there.

7. Authorities and Legal Implications

7.1 Council property policy has been developed from best practice established by the Audit Commission and includes the basic concept that assets must be held for a specific purpose. Where there is no identified purpose assets should be disposed of.

7.2 Disposal values will be *best consideration* established by either:

- advertising on the open market; or
- negotiation where this is likely to produce a more advantageous result.

7.3 Asset Management Committee meeting on 15 August 2006 agreed amendments to the acquisition and disposal policy. One of the changes was to delegate to Area Committees in principle decisions on simple disposals. This proposal falls outwith the terms of delegation because it is a negotiated sale.

8. Consultations

8.1 The Area Manager Nithsdale, the Operations Manager Legal Services, the Operations Manager Housing Services and the Joint Planning and Commissioning Manager, Adults with Learning Disabilities have been consulted and are in agreement with the terms of the report.

8.2 The Service Manager Strategic Planning advises that Strategic Planning have no interest in the retention of this property by the Council. The site is within the Dumfries Settlement Boundary but is not covered by any site-specific policy in the Adopted Local Plan. It is understood that the disposal of the property is not intended or expected to lead to any proposed change of use and on that basis there could not be any strategic planning policy concerns.

9. Background

9.1 The Council owns 14/16 Young Avenue Lincluden Dumfries (**Appendix 1**).

9.2 The property is held by Adult Services to provide care and support to adults with disabilities. Tenants receive housing support and personal care from a care provider (Key Housing).

9.3 The property was originally 2 houses built in circa 1960s and subsequently further subdivided for multiple occupancy. It is subject to Scottish Houses of Multiple Occupancy Regulations as administered by the Planning and Environmental Services Department. A recent inspection has identified that a number of alterations are required in order for it to comply with the regulations.

9.4 There is a continuing need for the service but ownership of the property by the Council is not necessary. Previous attempts to market the property subject to existing tenancies have proved unsuccessful.

9.5 Dumfries and Lower Nithsdale Area Committee meeting on 18 January 2007:

- agreed to recommend to the Asset Management Committee that 14/16 Young Avenue, Lincluden, Dumfries, be disposed of to an appropriate landlord in order to ensure service continuity for adults with disabilities and that appropriate "clawback" measures would be put in place relative

to any future sale of the property.

9.6 It is now proposed to dispose of the property by negotiated sale for £1 to the care provider, Key Housing subject to offering the sitting tenants a Scottish Secured Tenancy at this address.

9.7 A safeguard will be introduced that Key Housing continue to provide a service and a "clawback" where, if they give up providing the service and sell, the Council gets a share of the future capital receipt – 90% in first 2 years, 75% next 3 years and 50% thereafter.

10. Key Issues

By disposing of this property to the care provider, the Council can achieve continuity of service for adults with disabilities and avoid the cost of compliance works to comply with regulations for houses in multiple occupancy.

Lesley Marshall Estate Management Technician Property Services Date of Report: 13 February 2007 File Ref: 835x00 LFM/SW	Leslie Jardine Corporate Director of Corporate Services Council Offices English Street Dumfries
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APPENDICES – 1

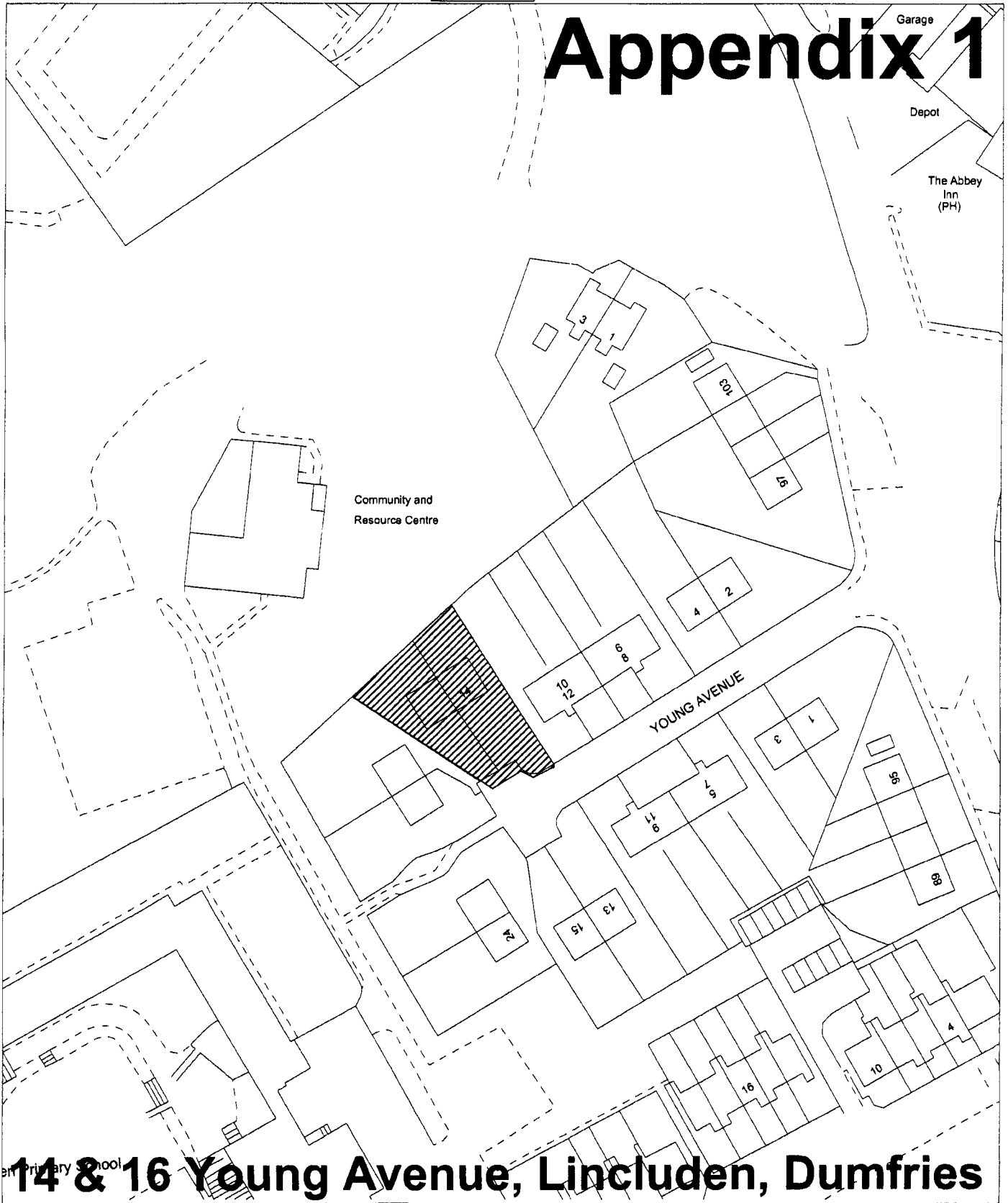
Background Papers:

Disposal of 14/16 Young Avenue, Lincuden, Dumfries - D&LNAC 18/01/07



NORTH

Appendix 1



14 & 16 Young Avenue, Lincluden, Dumfries