

Notice of proposed disposal of land at Borough Briggs Road, Elgin

Section 104 of the Community Empowerment (Scotland) Act 2015 requires that, before making a decision to dispose of common good land, a local authority must first publish details of the proposed disposal. In making its decision, the local authority must have regard to any representations made in respect of the proposal.

Notice is hereby given that Moray Council is considering the disposal of common good land extending to 1.015ha or thereby at Borough Briggs Road, Elgin, as shown on the attached location plan. Disposal refers to the sale, lease or transfer to any other party whether or not a fee is paid.

On 9 April 2019, the council's Policy and Resources Committee declined to consider an asset transfer request made by Elgin Sports Community Trust for a 99-year rent-free lease of the 1.015ha site. That decision does not rule out consideration of a future request from a community group for a community asset transfer of this site.

The site lies within the designated town centre boundary. The council now proposes exposing it for sale or lease on the open market for uses compatible with the proposed Local Development Plan 2020, which identifies the site as suitable for a mix of uses, including leisure, office and/or retail. The site's location within the defended flood plain means that it would be unsuitable for vulnerable uses, such as housing.

The proceeds of any disposal would be credited to the Elgin Common Good Fund, with any income generated being used to maintain Elgin Common Good property or other public assets in Elgin, or made available for distribution within the local community in accordance with the council's current policy.

Any representations regarding the proposed disposal of land should be submitted in writing to the Asset Management Coordinator at the address below no later than **12 Noon 25 October 2019**. Representations should state the name and address of the person making the representation, the matters to which they relate, and the grounds on which they are made.

Following the closure of this consultation a report will be submitted to the council's Policy and Resources Committee asking the committee to determine whether the council should apply to the Sheriff Court for consent to dispose of the land as required by Section 75(2) of the Local Government (Scotland) Act 1973.

Written representations should be submitted to:

Asset Management Coordinator
Moray Council
High Street
ELGIN
IV30 1BX

✉ CAT@moray.gov.uk