
To: Communities, Housing & Planning Policy Board

On: 30 October 2018

Report by: Director of Finance & Resources

Heading: Disposal of Land adjacent to 44 Glentyan Avenue, Kilbarchan

1. Summary

- 1.1 The purpose of this report is to declare the area of land adjacent to 44 Glentyan Avenue, Kilbarchan, shown on the attached plan (E2745), as surplus to requirements.
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2. Recommendations

2.1 It is recommended that the Board:

- 2.2 Declare the area of land located adjacent to 44 Glentyan Avenue, Kilbarchan, shown on the attached plan, as surplus to requirements, with a view to disposing to the adjacent owner.

- 2.3 Authorise the sale thereof to the adjoining proprietor of 44 Glentyan Avenue, Kilbarchan, on such terms and conditions as may be negotiated by the Head of Property utilising delegated powers.

- 2.4 Authorise the Head of Corporate Governance to conclude the sale incorporating into the bargain such terms and conditions as may be deemed necessary to protect the Council's interest.

- 2.5 Note that the Head of Planning will place an advert in the local press in terms of the Town and Country Planning (Scotland) Act 1959 for the proposed sale of an area of open space.

3. **Background**

- 3.1 The area of land which is held on the Housing Revenue Account, comprises a total area of 105 sqm or thereby and is an area of open space, maintained by Environment and Infrastructure.
- 3.2 The applicant has expressed an interest in acquiring the land for the utilization of a private garden ground. A provisionally agreed purchase price has been reached; but this is subject to the Board declaring the ground as surplus.
- 3.3 Environment and Infrastructure have advised that should the applicant wish to fence the outer boundaries of the space, all fence heights must be at a maximum height of one metre (1m) from the ground so as to preserve sightlines for the junction at Montgomery Drive.
- 3.4 The applicant will also have to obtain planning permission for a change of use to garden ground.
- 3.5 The area of land concerned is such that the purchase price/value of the land will be at a level upon which delegated powers granted to the Head of Property for the disposal of surplus property will be utilised.
- 3.6 The purchasers will be liable to meet the Council's reasonable professional and legal expenses in processing this transaction.
- 3.7 The Head of Planning and Housing has confirmed that the area of land has no operational requirement and would not be opposed to the land being declared surplus.
- 3.8 The Head of Planning & Housing will place an advert in the local press in terms of the Town and Country Planning (Scotland) Act 1959 for the proposed sale of an area of open space.

Implications of the Report

- 1. **Financial** – The HRA will benefit from a modest capital receipt.
- 2. **HR & Organisational Development** – *None*.
- 3. **Community Planning** –
 - Children and Young People** – None
 - Community Care, Health & Well-being** - None
 - Empowering our Communities** - None

Greener - None

Jobs and the Economy - None

Safer and Stronger - None

4. **Legal** – Conclude the sales contract

5. **Property/Assets** – Negotiation of the sale price and adjust the property records.

6. **Information Technology** - None

7. **Equality & Human Rights**

(a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. Required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** - None

9. **Procurement** – None

10. **Risk** - None

11. **Privacy Impact** - None

12. **Cosla Policy Position** – N.A.

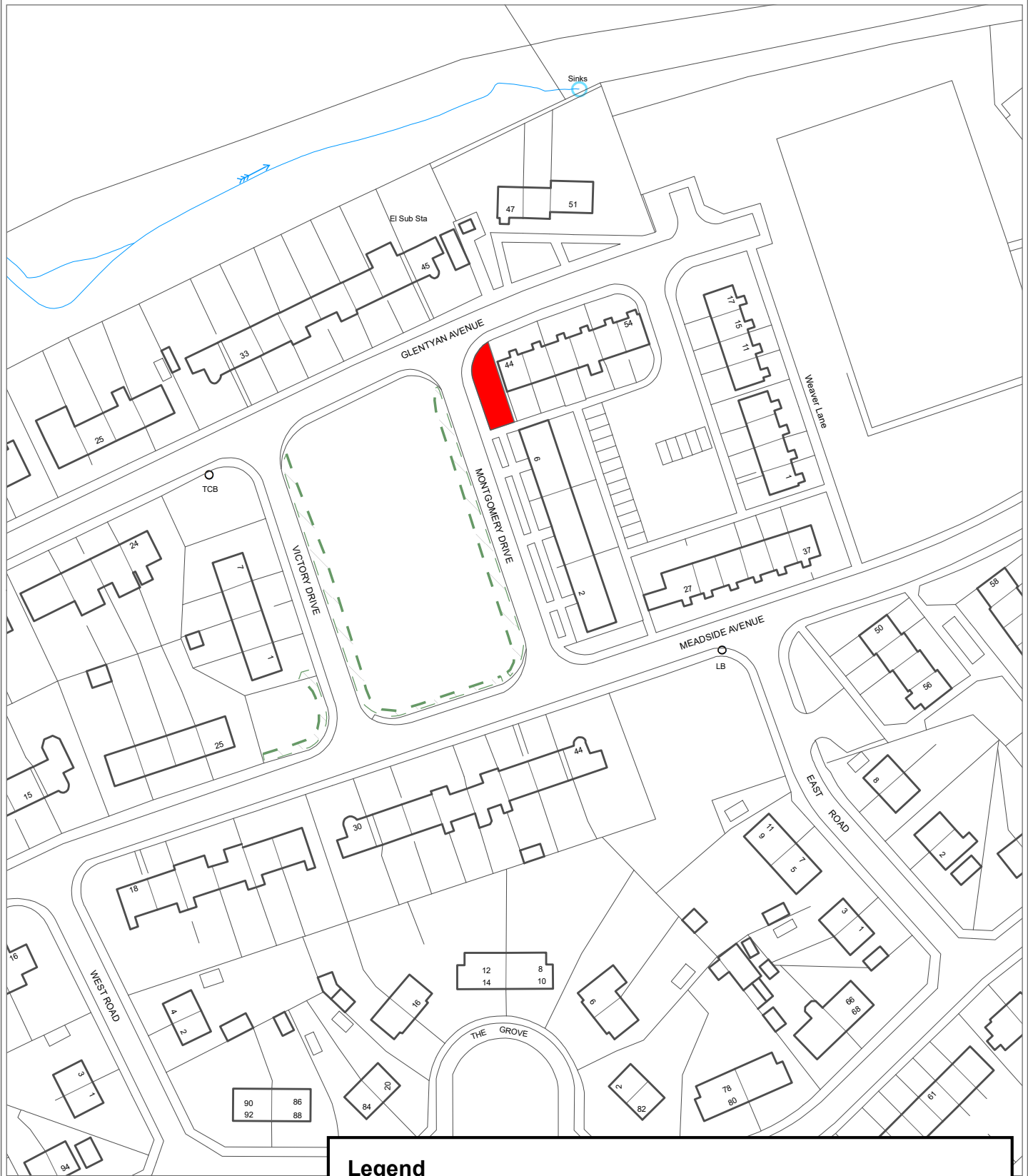
List of Background Papers

(a) None

Author: Aaron Duncan
Student Valuer
0141 618 3486
Aaron.duncan@renfrewshire.gov.uk


User: howardhaughj2

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Notes:

Legend

 Area to be disposed to the proprietor of 44 Glentyan Avenue extends to 105sqm or thereby