



**To: Planning & Property Policy Board**

**On: 26<sup>th</sup> of January 2015**

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**Report by: Director of Finance and Resources**

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**Heading: Land Adjacent to 202 Linburn Road, Erskine**

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**1. Summary**

- 1.1 The purpose of this report is to seek the consent of the Board to declare the area of land adjacent to 202 Linburn Road, Erskine surplus to requirements as outlined on the attached plan E2419.
  - 1.2 Note that it is proposed to dispose of the ground to the adjacent proprietors, Mr & Mrs Scullion.
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**2. Recommendations**

- 2.1 Declare the land adjacent to 202 Linburn Road, Erskine surplus to requirements which equates to 38 square metres or thereby as indicated on the attached plan E2419.
- 2.2 Note the sale of this land to the proprietors of 202 Linburn Road, Erskine shall be on such terms and conditions as may be negotiated by the Head of Property Services utilising delegated powers.
- 2.3 Authorise the Head of Corporate Governance to conclude the sale of this land which shall include any such terms and conditions that may be deemed necessary to protect the Council's interest.
- 2.4 Authorise the Head of Planning & Housing to 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.

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### 3. **Background**

- 3.1. The area of ground is located adjacent to 202 Linburn Road and is currently held within the Planning Account as shown on the attached plan E2419. The land is currently used as open space.
- 3.2. The Council was made aware of the fact that the proprietor of 202 Linburn Road Erskine had inadvertently encroached on council-owned land through the construction of a summerhouse. Following discussions with Mr Scullion he requested an opportunity to purchase the ground encroached to resolve this issue. The land was subsequently valued and Heads of Terms issued to the proprietor who had stipulated that he would rather purchase the land than dismantle the summerhouse.
- 3.3. The Head of Planning & Housing has confirmed that the area of ground has no operational requirement and would not be opposed to the ground being declared surplus.
- 3.4. The Head of Corporate Governance has confirmed there is no title restriction which would prohibit the possible sale of this ground.
- 3.5. Should any comments or concerns be received on the possible disposal of open space ground as a result of the Open Space advert placed in terms of the Town and Country Planning (Scotland) Act 1959, then a further report will be presented to allow the Board to consider the merits of the concerns raised.
- 3.6. The level of value is such that the Head of Property Services would utilise delegated powers to progress the sale should the Board determine the ground is surplus.

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## Implications of the Report

1. **Financial** – Capital Receipt of £2000 plus the Council's reasonably incurred legal fees to be met by the purchaser.
2. **HR & Organisational Development** – Not Applicable.
3. **Community Planning** – Not Applicable.
4. **Legal** – Completion of this transaction by the Head of Corporate Governance
5. **Property/Assets** – As per report.
6. **Information Technology** – Not Applicable
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. If 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** – Not Applicable.
9. **Procurement** –Not Applicable.
10. **Risk** – Not Applicable.
11. **Privacy Impact** – Not Applicable.

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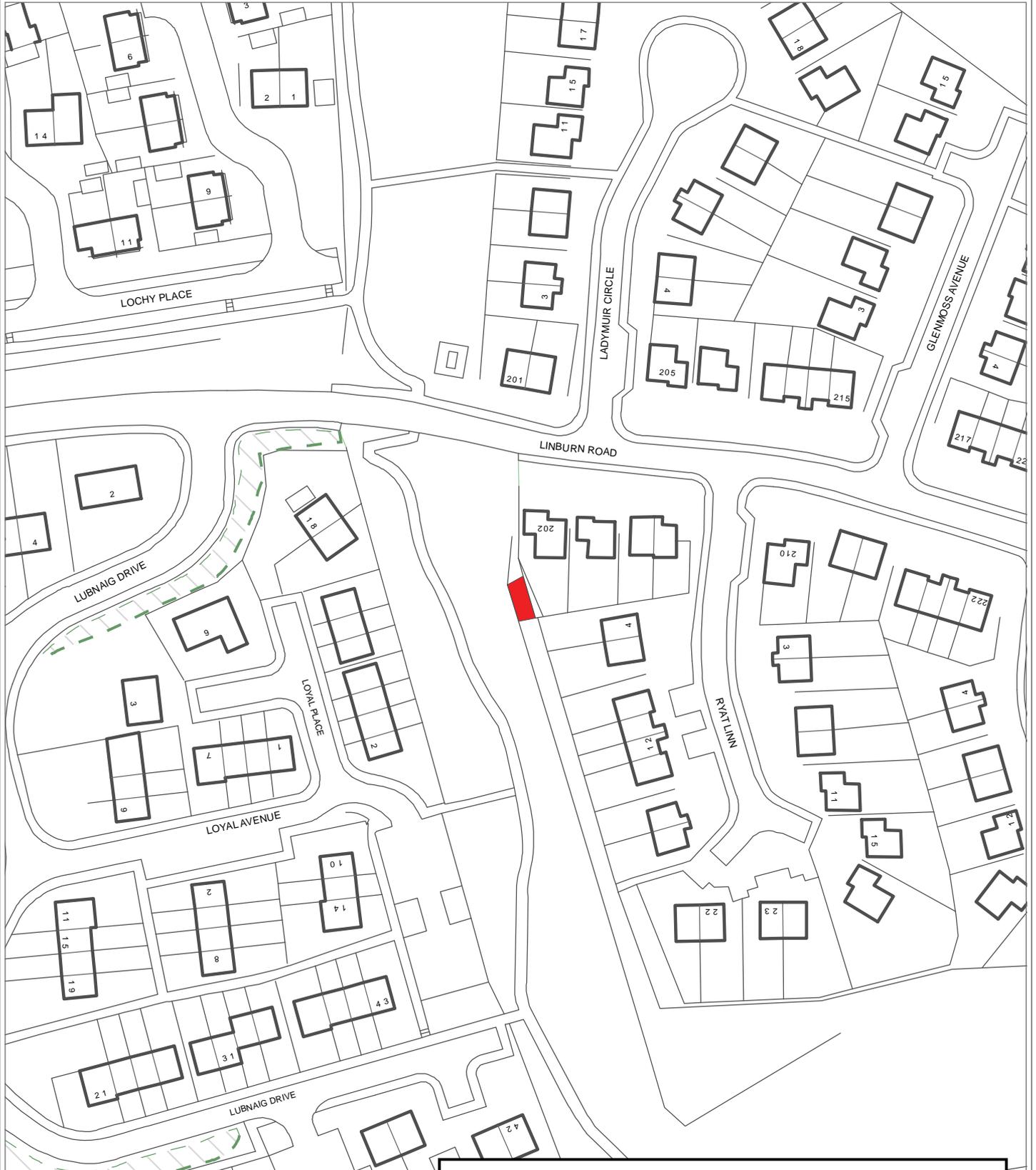
# Land at 202 Linburn Road, Erskine Disposal Plan Ref. E2419



1:1,250

User: howardhaughj2

Date: 11/11/2015



Notes:

### Legend

 E2419, Area to be disposed to proprietor of 202 Linburn Road extends to 38sqm or thereby