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**To:** Housing and Community Safety Policy Board

**On:** 12<sup>th</sup> of May 2015

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

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**Disposal of ground adjacent to 15 Elliot Avenue, Paisley, PA2 0UE**

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**1. Summary**

The purpose of this report is to declare the area of land adjacent to 15 Elliot Avenue, Paisley, PA2 0UE, highlighted in Appendix 1, surplus to requirements.

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**2. Recommendations**

It is recommended that the Board:

- 2.1 Declare a land adjacent to 15 Elliot Avenue, Paisley, PA2 0UE, surplus to requirements.
- 2.2 Authorise the sale to the proprietors of 15 Elliot Avenue, Mr. and Mrs. Stewart, on such terms and conditions as may be negotiated by the Head of the Property Services under delegated powers.
- 2.3 Authorise the Head of Legal and Democratic Services to conclude the sale incorporating into the bargain any such terms and conditions as maybe deemed necessary to protect the Council's interest.
- 2.4 Note that the Head of Planning & Economic Development 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.

- 2.5 Note the Director of Finance & Resources will seek Scottish Ministers consent in terms of section 12(7) of the Housing (Scotland) Act 1987 in respect of the proposed disposal of HRA land & property.
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### **3. Background**

- 3.1. The area of ground, which is held on the Housing Revenue Account, comprises an area of land with no individual development value. The request to purchase this land came from adjoining owners, Mr. and Mrs. Stewart, who wish to create off street parking and a slightly larger garden. The area of ground concerned is such that the purchase price/value will be at a level upon which delegated powers granted to the Head of Property Services for the disposal of surplus property will be utilised. The Head of Housing Services has been consulted with the regards to the disposal of this land and has raised no objections.
- 3.2. There are no adjacent owners to the property as the land is currently open space.
- 3.3. The purchasers will be required to seek planning consent for the change of use from open space to domestic garden ground.
- 3.4. The purchasers will be liable to meet the Council's reasonable professional and legal expenses in processing this transaction.
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### **Implications of the Report**

1. **Financial**  
The HRA will receive the receipt
2. **HR & Organisational Development**  
None
3. **Community Planning**  
None
4. **Legal**  
Minor conveyance work
5. **Property/Assets**  
As per report
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 because no groups or individuals have any involvement currently at the property. 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**

None

9. **Procurement**

None

10. **Risk**

None

11. **Privacy Impact**

None

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**List of Background Papers**

- ♦ The foregoing background papers will be retained within Development & Housing Services for inspection by the public for the prescribed period of four years.
- ♦ The contact officer within the Service is Joe Lynch, Head of Property Services, Tel No. 0141 618 6159.

**Author**

Yuliya Johnstone, 0141 618 7789

yuliya.johnstone@renfrewshire.gov.uk

Ref: SC/Disposal of land adjacent to 15 Elliot Avenue, Paisley

Date: 11<sup>th</sup> of March 2015



Notes:

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Area extends to 55 sqm or thereby.