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

**On: 17<sup>th</sup> of May 2016**

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

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**Heading: Land Adjacent to 20 Fulbar Avenue, Renfrew**

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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 20 Fulbar Avenue, Renfrew surplus to requirements as outlined on the attached plan E2472
  - 1.2 Note that it is proposed to dispose of the ground to the adjacent proprietors, Mr & Mrs Kelly.
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**2. Recommendations**

- 2.1 Declare the land adjacent to 20 Fulbar Avenue, Renfrew surplus to requirements which equates to 166 square metres or thereby as indicated on the attached plan E2472.
- 2.2 Authorise the sale of this land to the proprietors of 20 Fulbar Avenue on such terms and conditions as may be negotiated by the Head of Property Services under 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 and Housing to place an advert in the local press in terms of the Town and Council Planning (Scotland) Act 1959 for the proposed sale of an area of open space.
- 2.5 Note that in accordance with the recent changes to Scottish Ministers' consent when disposing of HRA assets, the proposed disposal will be under the General Consent available and will be self certified by the Council.

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### 3. **Background**

- 3.1. The area of ground is located adjacent to 20 Fulbar Avenue and is currently held within the Housing Revenue Account as shown on the attached plan E2472. The land is currently used as open space.
- 3.2. A request to purchase this area of ground has been received from the occupants of 20 Fulbar Avenue, Mr & Mrs Kelly who are seeking to extend the boundaries of their garden.
- 3.3. Recognising this ground was adjacent to more than one property officers contacted the other adjacent owners, who having considered this matter chose not to pursue a possible acquisition of the land indicated, but adjacent land nearer their own property. Their request is subject to a separate report to be considered by the Board.
- 3.4. 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.
- 3.5. The Head of Corporate Governance has confirmed there is no title restriction which would prohibit the possible sale of this ground.
- 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 declare the ground is surplus.

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### **Implications of the Report**

- 1. **Financial** – Capital Receipt of £4,150 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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**Date:** 22/04/2016



# Land at 20 Fulbar Avenue, Renfrew

## Disposal Plan Ref. E2472

User: howardhaughj2

Date: 04/04/2016



Notes:

### Legend

E2472, Area to be disposed to proprietor of 20 Fulbar Avenue extends to 166sqm or thereby