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

**On: 26<sup>th</sup> of January 2016**

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

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**Heading: Land Adjacent to 58 Meadside Road, Kilbarchan**

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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 58 Meadside Road, Kilbarchan surplus to requirements as outlined on the attached plan E2422.
  - 1.2 Note that it is proposed to dispose of the ground to the adjacent proprietors, Mr Meiklem.
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**2. Recommendations**

- 2.1 Declare the land adjacent to 58 Meadside Road, Kilbarchan surplus to requirements which equates to 118 square metres or thereby as indicated on the attached plan E2422.
- 2.2 Note the sale of this land to the proprietors of 58 Meadside Road Kilbarchan 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 Council Planning (Scotland) Act 1959 for the proposed sale of an area of open space.

- 2.5 Note that the Director of Finance & Resources will seek Scottish Ministers consent in terms of Section 12(7) of the Housing (Scotland) Act 1987 for the disposal of land from the Housing Revenue Account.

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### 3. **Background**

- 3.1. The area of ground is located adjacent to 58 Meadside Road and is currently held within the Housing Revenue Account as shown on the attached plan E2422. The land is currently used as open space.
- 3.2. A request to purchase this area of ground has been received from the occupant of 58 Meadside Road, Mr Meiklem, who is seeking to extend the boundaries of his garden. There are no adjacent owners to this property which is currently being used as open space.
- 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 £5,300 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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**Author:** Alexander Calderwood  
Student Valuer  
0141 618 7789  
[alexander.calderwood@renfrewshire.gov.uk](mailto:alexander.calderwood@renfrewshire.gov.uk)

**Date:** 25/11/2015



# Land at 58 Meadside Avenue, Kilbarchan

## Disposal Plan Ref. E2422


User: howardhaughj2

Date: 01/12/2015



Notes:

### Legend

 Area to be disposed to proprietor of 58 Meadside Avenue extends to 103sqm or thereby