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**To: Infrastructure, Land & Environment Policy Board**

**On: 15 March 2023**

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**Report by: Chief Executive**

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**Heading: Disposal of Land adjacent to 5 Barwood Drive, Erskine**

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**1. Summary**

- 1.1 The purpose of this report is to declare the area of land adjacent to 5 Barwood Drive, Erskine, shown on the attached plan (E3301), as surplus to requirements.

**2. Recommendations**

It is recommended that the Board:

- 2.1 Declare the area of land located adjacent to 5 Barwood Drive, Erskine shown on the attached plan, as surplus to requirements, with a view to disposing to the adjoining owner.
- 2.2 Authorise the sale thereof to the adjoining owner of 5 Barwood Drive, Erskine, on such terms and conditions as may be negotiated by the Head of Economy and Development utilising delegated powers.
- 2.3 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.
- 2.4 Note that the Chief Planning Officer 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.
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### 3. **Background**

- 3.1 This area of land, which is held on the General Services, extends to 106 sqm or thereby and is an area of open space which is currently not maintained.
- 3.2 The applicant has expressed an interest in acquiring this land to create additional garden space. An agreed purchase price has been reached; but this is subject to the Board declaring the ground surplus.
- 3.3 The applicant will require to obtain planning permission for a change of use.
- 3.4 The purchase price of the land will be at a level upon which delegated powers granted to the Head of Economy and Development for disposal purposes will be utilised.
- 3.5 The purchaser will be liable to meet the Council's reasonable professional and legal expenses incurred in processing this transaction.
- 3.6 Environment and Infrastructure, Planning and Legal have confirmed that this area of land has no operational or legal requirement and is not opposed to the land being declared surplus.
- 3.7 The Chief Planning Officer 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.

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### **Implications of the Report**

- 1. **Financial** – Council will benefit from a modest capital receipt.
- 2. **HR & Organisational Development** – None.
- 3. **Community Planning** – None.
- 4. **Legal** – Conveyancing of land as required.
- 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. 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.
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