
To: Communities, Housing & Planning Policy Board

On: 20 August 2019

Report by: Director of Finance & Resources

Heading: Disposal of Land adjacent to 4 Elm Drive, Johnstone

1. Summary

- 1.1 The purpose of this report is to declare the area of land adjacent to 4 Elm Drive, Johnstone, shown on the attached plan (E2901), as surplus to requirements.

2. Recommendations

2.1 It is recommended that the Board:

- 2.2 Declare the area of land located adjacent to 4 Elm Drive, Johnstone, shown on the attached plan, as surplus to requirements, with a view to disposing to the adjacent owner.
- 2.3 Authorise the sale thereof to the adjoining proprietor of 4 Elm Drive, Johnstone, on such terms and conditions as may be negotiated by the Head of Property utilising delegated powers.
- 2.4 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.
- 2.5 Note that the Head of Planning & Housing 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.

3. **Background**

- 3.1 The area of land which is held on the Housing Revenue Account, comprises a total area of 72 sqm or thereby and is an area of open space, maintained by Environment and Infrastructure.
- 3.2 The applicant has expressed an interest in acquiring the land for the utilization of a private garden. An agreed purchase price has been reached; but this is subject to the Board declaring the ground as surplus.
- 3.3 The applicant will also have to obtain planning permission for a change of use to garden ground.
- 3.4 The area of land concerned is such that the purchase price/value of the land will be at a level upon which delegated powers granted to the Head of Property for the disposal of surplus property will be utilised.
- 3.5 The purchaser will be liable to meet the Council's reasonable professional and legal expenses in processing this transaction.
- 3.6 The Head of Planning and Housing has confirmed that the area of land has no operational requirement and would not be opposed to the land being declared surplus.
- 3.7 The Head of Planning & Housing Services 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.

Implications of the Report

- 1. **Financial** – The HRA will benefit from a modest capital receipt.
- 2. **HR & Organisational Development** – None.
- 3. **Community Planning**
 - Children and Young People** – None
 - Community Care, Health & Well-being** – None
 - Empowering our Communities** – None
 - Greener** – None
 - Jobs and the Economy** – None

Safer and Stronger – None

4. **Legal** – Conclude the sales contract
5. **Property/Assets** – Negotiation of the sale price and adjust the property records.
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.
13. **Climate Risk** - None. Any Climate Risk implications will be addressed in subsequent Reports.

List of Background Papers

- (a) None

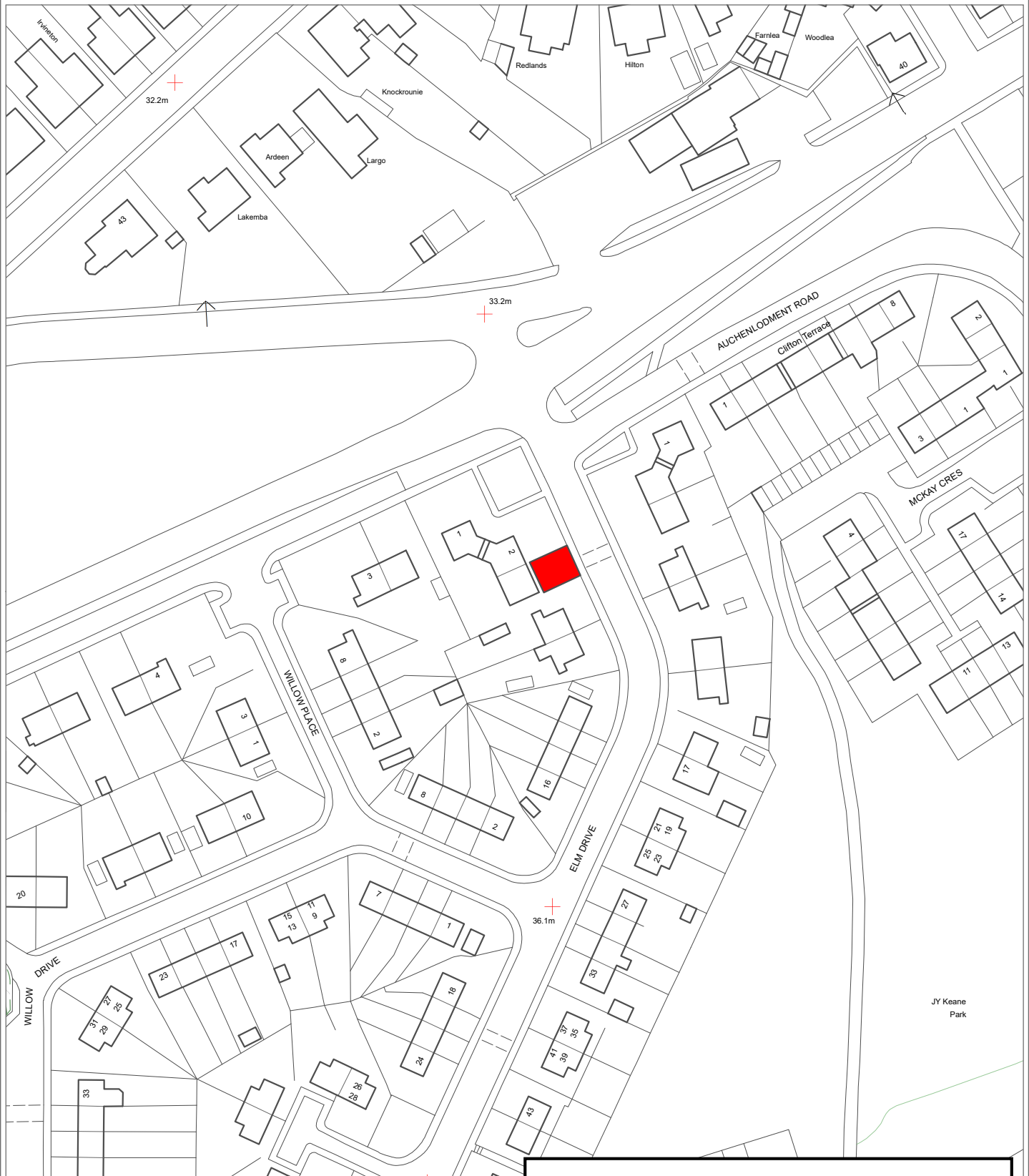
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Land at 4 Elm Drive, Johnstone

Disposal Plan Ref. E2901


User: howardhaughj2

Date: 28/05/2019



Notes:

Legend

 Area to be disposed to proprietor of 4 Elm Drive extends to 72sqm or thereby