



Glasgow City Council

Contracts & Property Committee

Report by Executive Director of Neighbourhoods, Regeneration and Sustainability

Contact: George McMillan Ext: 76151

Item 3

13th June 2024

**AUTHORITY TO NEGOTIATE AN OFF-MARKET DISPOSAL OF GROUND ADJACENT TO 8 PROSPECTHILL ROAD, BATTLEFIELD, GLASGOW G42 9LE TO KATHLEEN BAILLEY.**

**Purpose of Report:**

To seek Committee authority to commence negotiations for an off-market disposal of ground adjacent to 8 Prospecthill Road, Battlefield, Glasgow G42 9LE to Kathleen Bailley.

**Recommendations:**

That Committee:

1. notes the content of this report;
2. approves in principle the off-market disposal of the subject to the owner of 8 Prospecthill Road;
3. instructs the Managing Director of City Property (Glasgow) LLP to negotiate the terms and conditions of the disposal; and
4. notes that the appropriate authority will be sought for the approval of agreed terms and conditions.

Ward No(s): 7 – Langside

Citywide:

Local member(s) advised: Yes ☐ No ☒ consulted: Yes ☐ No ☒

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**Report to: Contracts and Property Committee**

**From: Managing Director of City Property (Glasgow) LLP**

**Date: 13 June 2024**

**Subject: Authority to negotiate an off-market disposal of ground adjacent to 8 Prospecthill Road, Battlefield, Glasgow G42 9LE to Kathleen Bailey.**

## **1. Description**

- 1.1 The subject comprises garden ground adjoining 8 Prospecthill Road in the Battlefield area of Glasgow, approximately 2.1 miles south of Glasgow City Centre.
- 1.2 The subject consists of ground which has been included in the garden of the property at 8 Prospecthill Road. A portion of the subject ground has been developed on, taking the form of a conservatory, with the rest of the ground consisting of substantial plant growth along the boundary with Battlefield Road. Additionally there is open garden space with two temporary wooden structures, comprising of an external orangery and large garden shed.
- 1.3 The total subject site extends to 0.011 Hectares (0.027 Acres) or thereby.

## **2. Planning**

- 2.1 The [Glasgow City Development Plan](#) was adopted on 29 March 2017. The new local development plan replaces Glasgow City Plan 2 (2009) and sets out the Council's land use strategy providing the basis for assessing planning applications. The City Development Plan does not identify land use zones to direct particular types of development. Instead, overarching policies CPD1 Placemaking and CDP 2 Sustainable Spatial Strategy encourage development to be informed by a placed base approach.

## **3. Background**

- 3.1 The land adjoining 8 Prospecthill Road was formed when Battlefield Road was expanded leaving behind the small wedge of land between the pedestrian walkway on Battlefield Road and the property at 8 Prospecthill Road.

- 3.2 This land was subsequently absorbed into the land surrounding the property at 8 Prospecthill Road after the current owner purchased the property over 20 years ago. There appeared to be no defining boundary between the subject and adjoining garden at 8 Prospecthill Road, leading the owner to assume this land was part of the curtilage of their property.
- 3.3 City Property (Glasgow) LLP (City Property) was instructed by Neighbourhoods, Regeneration and Sustainability (NRS) – Property and Consultancy Services to progress with the disposal of the subject to Kathleen Bailey, the owner of 8 Prospecthill Road, and to negotiate the Heads of Terms for the disposal on the basis that the abovementioned authority is granted.
- 3.4 The City Administration Committee, at its meeting on 10 October 2019, approved a policy for off-market disposals ([see link Report Details](#)). It is considered that the proposed disposal is compliant with 3.1.1 of the policy, “Disposal to an adjoining proprietor where there is good reason for considering such sales e.g. land for extending gardens, extensions to residential or business premises”.
- 3.5 Common good wording will be reported when the appropriate authority is sought for the approval of agreed terms and conditions.
- 3.6 The subject was declared surplus on 13<sup>th</sup> March 2024, following the procedural non-operational process with no notes of interest being received.
- 3.7 Following authority to negotiate being granted, Heads of Terms will be negotiated by City Property to include conditions that will protect Glasgow City Council’s interest if the use is to change in the future. The appropriate authority will be sought for the approval of the agreed terms and conditions.

#### **4. Purchaser**

- 4.1. Kathleen Bailey

#### **5. Policy and Resource Implications**

##### **Resource Implications:**

*Financial:* Authority to negotiate an off-market disposal will generate a capital receipt for the Council.

*Legal:* The legal team will need to conclude this transaction.

*Personnel:* No direct personnel issues.

*Procurement:* No Procurement implications.

**Council Strategic Plan:** Grand Challenge 2: Enable staff to deliver essential services in a sustainable, innovative and efficient way for our communities.

Mission 1 - Create safe, clean and thriving neighbourhoods.

**Equality and Socio-Economic Impacts:**

*Does the proposal support the Council's Equality Outcomes 2021-25* No specific equality related outcomes.

*What are the potential equality impacts as a result of this report?* No equality impacts identified.

*Please highlight if the policy/proposal will help address socio economic disadvantage.* No impact on Socio Economic disadvantage.

**Climate Impacts:**

*Does the proposal support any Climate Plan actions? Please specify:* Whilst not supporting specific Climate Plan actions the proposed development will be subject to statutory guidelines.

*What are the potential climate impacts as a result of this proposal?* There are no potential climate impacts for this proposal at this time.

*Will the proposal contribute to Glasgow's net zero carbon target?* It is considered that the proposal will not have either a positive or negative contribution to the City's net zero carbon target.

*Common Good:* Common good wording will be reported when the appropriate authority is sought for the approval of agreed terms and conditions.

**Privacy and Data Protection impacts:** No Privacy and Data Protection impacts identified.

## **6. Recommendations**

That Committee:

- 6.1 notes the contents of this report;
- 6.1. approves in principle the off-market disposal of the subject to the owner of 8 Prospecthill Road;
- 6.2 approves the Managing Director of City Property (Glasgow) LLP to negotiate terms and conditions of the disposal; and
- 6.3 notes that appropriate authority will be sought for approval of agreed terms and conditions.