

**NORTH LANARKSHIRE COUNCIL
REPORT**

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| To: POLICY & RESOURCES (PROPERTY) SUBCOMMITTEE | Subject: SERVITUDE TO THE REAR OF 33-35 PARKBURN ROAD, KILSYTH |
| From: HEAD OF PROPERTY SERVICES | MR JAMES O'DONNELL |
| Date: 18 April 2011 | Ref: IM – W1 |

1. INTRODUCTION

- 1.1 The purpose of this report is to seek Committee approval for the granting of a permanent Servitude for the purpose of taking a connection for surface water run off across land to the rear of 33-35 Parkburn Road, Kilsyth.

2. BACKGROUND

- 2.1 The agent acting on behalf of the owner of the plot of ground at 33-35 Parkburn Road, Kilsyth has requested a permanent Servitude over land to the rear of the site which is within the Council's ownership.
- 2.2 Planning consent was granted in April 2010 for the construction of a detached dwellinghouse on the site and the Servitude is required for the purpose of running a connection across the Council's land into a culvert to deal with surface water run off from the site.
- 2.3 Property Services has consulted with Environmental Services and no objections have been raised.

3. DESCRIPTION

- 3.1 The ground affected by the proposed Servitude is located to the rear of 33-35 Parkburn Road. The land is question slopes steeply and is overgrown and unkempt in appearance with a culvert running through from north to south.
- 3.2 The approximate location of the area affected by the Servitude is shown shaded on the attached plan.

4. TERMS

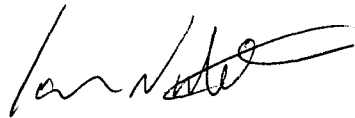
- 4.1 A figure of £1,500 has been provisionally agreed for the grant of the Servitude.
- 4.2 The property owner will be responsible for the payment of the Council's legal fees and expenses in relation to this transaction.

5. CORPORATE CONSIDERATIONS

- 5.1 The proposal to grant the Servitude does not impact on Council operations.
- 5.2 The grant of the Servitude will generate a capital receipt for the Council.

6. RECOMMENDATIONS

- 6.1 It is recommended that Committee approves the grant of a Servitude over ground to the rear of 33-35 Parkburn Road, Kilsyth to Mr James O'Donnell or his nominees on the terms detailed above.
- 6.2 All other terms and conditions to be adjusted by the Head of Property Services.



IAN NISBET
Head of Property Services

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Members seeking further information on the contents of this report are asked to contact Ian Nisbet, Head of Property Services, on 01236 616305.



LOCATION PLAN - For Information Only

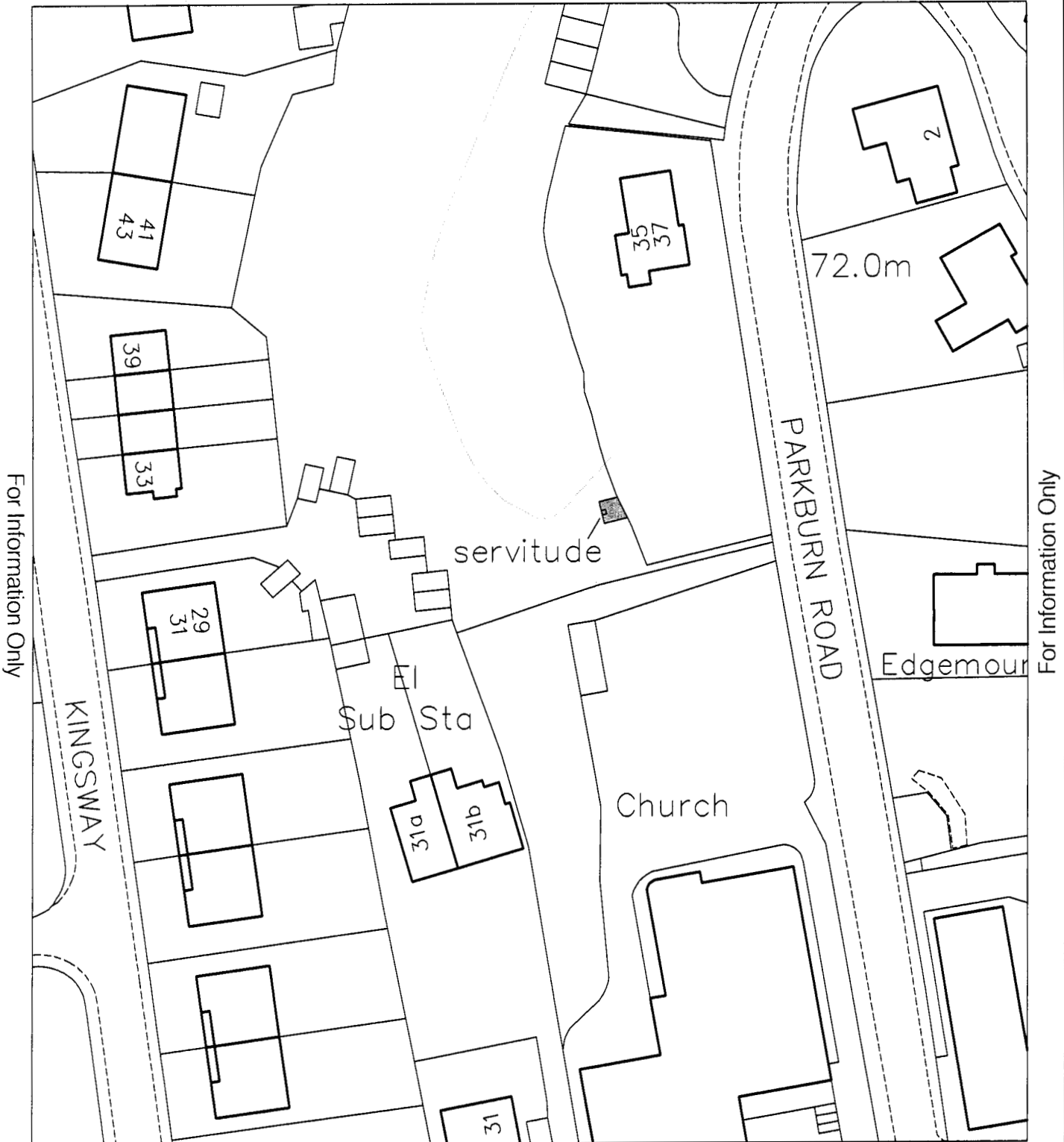
Title: 33-35 Parkburn Road

Scale 1:N.T.S.



Town: Kilsyth

Date: 21/04/2011



Property Services

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