



Date: 23 Jul 21
Our Ref: KB/SC

Ms Nikki Bridle
Chief Executive
Clackmannanshire Council
Kilncraigs
Greenside Street
Alloa
FK10 1EB



Keith Brown MSP

Dear Nikki

Playpark in Tillicoultry
Your Ref: KB-321

Thank you for the response dated 13 July 2021 which I have now had the opportunity to discuss with my constituents.

My constituents remain unsatisfied with the response they have received which they do not believe answers their questions or addresses the issues.

To provide clarity, can Clackmannanshire Council please provide me with an explanation as to why the land has not been adopted by the Council as set out in the legal Section 75 agreement? What steps are the Council now going to take to address this matter, and can you please provide a timescale for the adoption of the land to take place?

In addition, I am concerned to learn that constituents have been directed to submit Freedom Of Information requests for the information they have requested. This does not appear to me to be the way in which local authorities should engage with residents, and I would seek assurances that this is not common practice and that my constituents' requests for information will be actioned without the need to enact FOI legislation.

I look forward to your response, which I will share with my constituents.

Yours sincerely

Keith Brown MSP
Clackmannanshire & Dunblane Constituency



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PLACE – Planning & Building Standards

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

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Email: buildingstandards@clacks.gov.uk

Our Ref:

Your Ref: KB-321

Date: 13 July 2021

Keith Brown MSP
Clackmannanshire & Dunblane
39 Drysdale Street
ALLOA
FK10 1JA

Dear Mr Brown

MP/MSP Enquiry : KB-321

Subject : Playpark in Tillicoultry

I refer to your recent enquiry in respect of open space/play provision at Bard's Way, Tillicoultry.

I can advise that a number of residents have previously made enquiries with the Council and ongoing cross service working between the Council's Legal, Planning and Land Services functions is taking place to respond to concerns raised.

In response to your enquiry I can confirm that the areas of open space of concern to residents are protected for this purpose by a Section 75 legal obligation attached to the grant of planning permission for the Bard's Way development. This obligation "binds" any future owner to these obligations unless an application to discharge or modify the s75 obligation is approved by the Council's Planning service.

At this time no contact from any party has been received to suggest that such application will be submitted. Should such an application be submitted then the original use of the land for open space and the Council's Local Development Plan policies (which designate it for open space) will be the primary consideration in application assessment. I can confirm that residents of Bard's Way would be consulted for their views should such an application be submitted.

There are no requirements on any land owner to consult prior to the sale of land.

Yours sincerely





Date: 29 Jun 21
Our Ref: KB/SC/Playpark

Ms Nikki Bridle
Chief Executive
Clackmannanshire Council
Kilncraigs
Greenside Street
Alloa
FK10 1EB



Keith Brown MSP

Dear Nikki

Playpark in Tillicoultry

As MSP for Clackmannanshire and Dunblane, I have been contacted by several constituents who were upset to see that the playpark in the Bards Way estate, Tillicoultry was advertised for sale online.

It is my constituents' understanding that the playpark is now owned by the developer, and that the developer intends to sell the playpark and football pitch for development.

Could you please clarify if the developer is able to sell the common ground, and how this relates to planning consent? My constituents are also seeking clarification on the consultation process in this instance, as they inform me that they were not consulted regarding the sale of the land prior to finding it advertised for sale online.

I look forward to your full and prompt response which I will share with my constituents.

Yours sincerely

Keith Brown MSP
Clackmannanshire & Dunblane Constituency



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