

Report

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Report to:	Estates Committee
Date of Meeting:	23 August 2005
Report by:	Executive Director (Enterprise Resources)

Subject:	Ground Lease Agreement, Clyde Valley Housing Association Limited – Five-A-Side All Weather Football Pitch Development, Birkenshaw Park, Larkhall
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1 Purpose of Report

1.1 The purpose of the report is to:-

- ◆ Seek approval for the grant of a 25 year ground lease to the Clyde Valley Housing Association Limited for use of ground at Birkenshaw Park, Larkhall for the development of a 5-a-side all weather football pitch.

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) that the proposed ground lease be agreed with Clyde Valley Housing Association Limited for ground at Birkenshaw Park, Larkhall on the terms and conditions detailed in paragraph 4.1.
- (2) authorise the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, as appropriate, to conclude the ground lease agreement.

3 Background

- 3.1 The site (850m² or thereby) within Birkenshaw Park, Larkhall is owned by South Lanarkshire Council and held in the Community Resources Account. The site is level and unused and is detailed on the enclosed plan.
- 3.2 The lease proposal is for the development of an all-weather artificial grass five-a-side football pitch enclosed by fencing and with an adjacent youth shelter and seating area. Planning consent was given on 1 December 2004.
- 3.3 Funding for completion of the development will be met by the Association in conjunction with external funding bodies, of which Communities Scotland is the main funder. Confirmation has also been given by Regeneration Services that the Council will fund maintenance of the completed facility to the value of £10,000 over the 25 year lease period.

4 Lease Terms and Conditions

4.1 The key features of the ground lease are:-

1. The lease shall be for a term of 25 years from a date of entry to be agreed.
2. Rent shall be £1 per annum if asked, although it will be in South Lanarkshire Council's option to review the rent at five year intervals.
3. The tenant will be responsible for any rates levied.
4. The ground will be used solely for the development of a five-a-side all-weather football pitch and associated youth shelter/seating area. Free of charge access will be given to the general public for use of the facility.
5. The Association will arrange its own public liability insurance.
6. All future development details and plans shall be forwarded to South Lanarkshire Council for prior approval, as ground landlord. Should the facility utilise flood lighting, this will require to meet any particular standards/criteria set by the Council's Roads Service, in view of the close proximity of the development to nearby Carlisle Road.
7. At the termination of the lease, howsoever determined, no compensation will be payable by South Lanarkshire Council in respect of completed development work on its site.
8. At the end of the lease it will be in South Lanarkshire Council's option to require the ground lessee to remove all constructions from the site, leaving a clear and level site, and that at no cost whatsoever to the Council.
9. Each party will be responsible for its own legal and other expenses.

5 Employee Implications

- 5.1 There are no personnel implications for the Council.

6 Financial Implications

- 6.1 Regeneration Services have confirmed £10,000 has been reserved to fund maintenance of the facility over the 25 year lease period. The annual rental value of the site is £25 per annum based on comparable subjects (open space use).

7 Other Implications

- 7.1 There are no other implications.

8 Consultation

- 8.1 Consultations have been undertaken with Community Resources (owning Account), Planning and Legal Services (Title Report) who are supportive of the proposal.

Iain Urquhart

Executive Director (Enterprise Resources)

28 July 2005

Link(s) to Council Objectives

- Living in the Community

Previous References

None

List of Background Papers

- Location Plan

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Paul Haring, Lease Management, Estates Services

Ext: 5155 (Tel: 01698 455155)

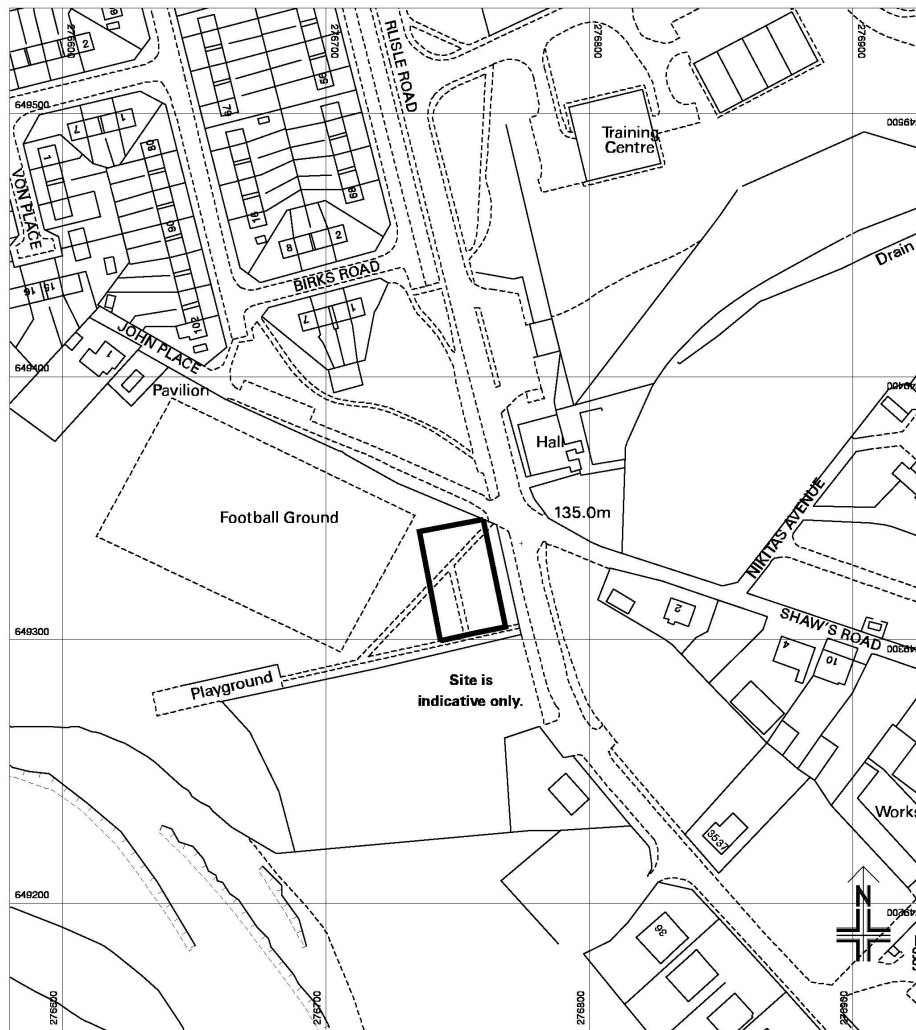
E-mail: paul.haring@southlanarkshire.gov.uk

LOCATION PLAN

5-a-side Football Pitch Development Birkenshaw Park, Larkhall



ESTATES SERVICES



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