

Report

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| Report to: | Estates Committee |
| Date of Meeting: | 18 October 2005 |
| Report by: | Executive Director (Enterprise Resources) |

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| Subject: | Amendment to Existing Lease Agreement at Forth Primary School, Forth – Proposed Development of a Horticultural Unit by the Forth and District Initiative |
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1 Purpose of Report

1.1 The purpose of the report is to:-

- ♦ note the action taken in terms of Standing Order No. 36(c) to amend the existing authority to the Forth and District Initiative for use of ground at Forth Primary School, for the development of a horticultural unit by the Forth and District Initiative.

2 Recommendation(s)

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

- (1) to amend the existing authority with the Forth and District Initiative for ground at Forth Primary School on the undernoted terms and conditions
- (2) that the Executive Director (Enterprise Resources) in consultation with the Head of Legal Services, if appropriate, is authorised to conclude all necessary agreements on behalf of the Council
- (3) that in view of the need to meet a funding requirement of the Forth and District Initiative for the conclusion of a new Agreement by September 2005, in terms of Standing Order No. 36(c) the action taken by the Executive Director (Enterprise Resources), in consultation with the Chair and ex-officio Member, be noted.

3 Background

3.1 The Forth and District Initiative has recently advised that, to meet external funding requirements, it is required to have a formally concluded Agreement in place for use of the Council's land at Forth Primary School by September 2005.

3.2 Additionally, the Group has now advised that it intends to sell plants to assist in its self funding activities and also plans to erect a wind turbine and solar panel on the ground which will be subject to a separate Planning Application. As a result, the Council has restructured the previous agreement.

4 Terms and Conditions

4.1 All terms and conditions of the new Agreement will be as already approved by Committee at its meeting on 5 April 2005, save for the following four amendments as detailed below:-

1. The Agreement shall now be a Licence Agreement.
2. No rent or other consideration will be payable.
3. The Forth and District Initiative will be permitted to sell plants to assist in its day-to-day funding activities.
4. The development will include a polythene polytunnel, a 5.5 metre wind turbine and one solar panel (approximately 57 inches x 26 inches) which will be subject to statutory consents.

5 Employee Implications

- 5.1 There are no personnel implications for the Council.

6 Financial Implications

- 6.1 There are no financial implications for the Council.

7 Other Implications

- 7.1 There are no other implications.

8 Consultation

- 8.1 Consultations have been undertaken with Education Resources, Planning, Legal Services and Community Resources (Countryside Management Team), which are supportive of the proposal.

Iain Urquhart

Executive Director (Enterprise Resources)

6 September 2005

Link(s) to Council Objectives

- Living in the Community
- Learning in the Community

Previous References

- Report to Estates Committee - 5 April 2005 (approved)

List of Background Papers

None

Contact for Further Information

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

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