

ESTATES COMMITTEE

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 31 May 2005

Chair:

Councillor Jim Docherty (Depute)

Councillors Present:

Carol Hughes, Billy McCaig, John McGuinness, Alex McInnes, Danny Meikle, Chris Thompson, Jim Wardhaugh

Councillors' Apologies:

David Baillie, Tony Carlin, Jim Daisley (Chair), Beith Forrest, Eileen Logan, Edward McAvoy, William Ross

Attending:

Corporate Resources

J McDonald, Administration Officer

Enterprise Resources

P Carr, Capital Transactions Manager; H McNeil, Head of Estates and Support Services

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Estates Committee held on 5 April 2005 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Lease of Unit at Clydevew Shopping Centre, Blantyre

A report dated 17 May 2005 by the Executive Director (Enterprise Resources) was submitted on the lease of premises at Clydevew Shopping Centre, Blantyre from ASDA to create a voluntary sector support/learning centre. The proposed period of the lease was 20 years at a rent of £1 per annum.

The Committee decided: that the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, be authorised to enter into a lease of the premises at Clydevew Shopping Centre, Blantyre from ASDA for the creation of a voluntary sector support/learning centre for a period of 20 years at a rent of £1 per annum, subject to the terms and conditions detailed in the report.

4 Sale of Land at Westburn Drive, Cambuslang

A report dated 17 May 2005 by the Executive Director (Enterprise Resources) was submitted on the Heads of Terms in relation to the disposal of Plots 2, 3, 4 and 5 of the Cambuslang Investment Park (CIP-3). It was proposed that:-

- ◆ Plot 3 of the Cambuslang Investment Park, Westburn Drive, Cambuslang be sold to Burley Developments Limited in the sum of £381,600
- ◆ Plots 2, 4 and 5 of the Cambuslang Investment Park, Westburn Drive, Cambuslang be sold to Greggs Plc in the sum of £730,000
- ◆ a Servitude Right be granted to Scottish Power Generation Limited over Phase 1 of CIP-3 to access and service Phase 2 of CIP-3 for the sum of £330,000
- ◆ the net proceeds of the disposals and servitude payments, after deduction of overage payment, be split equally between the Council and Scottish Enterprise Lanarkshire as joint funders of the project

The Committee decided: that the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, be authorised to conclude all matters and enter into the necessary legal agreements in terms which were in the best interests of the Council to complete the disposal of the plots, all as detailed above.

[Reference: Minutes of Enterprise Resources Committee of 12 December 2001 (Paragraph 7)]

5 Transactions Processed Under Delegated Authority

A report dated 3 May 2005 by the Executive Director (Enterprise Resources) was submitted on the level of transactions processed by Estates Services under delegated authority for the period 1 January to 31 March 2005.

Estates Services, under delegated powers, had authority to deal with lease transactions up to a value of £50,000 per annum for a maximum period of 10 years and capital transactions up to a value of £150,000.

During the period 1 January to 31 March 2005, 45 transactions had been undertaken as follows:-

- ◆ total value of lease transactions – £134,905
- ◆ total value of capital transactions – £552,476

The Committee decided: that the level of transactions processed by Estates Services under delegated authority for the period 1 January to 31 March 2005 be noted.

[Reference: Minutes of 5 April 2005 (Paragraph 11)]

6 Lease of 8 Cathcart Place, Rutherglen

A report dated 9 May 2005 by the Executive Director (Enterprise Resources) was submitted on the lease of premises at 8 Cathcart Place, Rutherglen to James Bryce Lindsay, trading as Spot On Car Care. The period of the lease was 15 years at a rent of £9,500 per annum, subject to review at 5 yearly intervals.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the 15 year lease of premises at 8 Cathcart Place, Rutherglen to James Bryce Lindsay, trading as Spot On Car Care, at a cost of £9,500 per annum, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the 15 year lease of premises at 8 Cathcart Place, Rutherglen to James Bryce Lindsay, trading as Spot On Car Care, at a cost of £9,500 per annum, subject to the terms and conditions detailed in the report, be noted.

7 Sale of Site at Station Road, Biggar

A report dated 5 May 2005 by the Executive Director (Enterprise Resources) was submitted on the sale of 0.27 hectares of land at Station Road, Biggar to Eric Muirhead. It was proposed that the site be sold to Eric Muirhead, who had submitted the highest offer, in the sum of £277,000.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the sale of 0.27 hectares of land at Station Road, Biggar to Eric Muirhead, in the sum of £277,000, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the sale of 0.27 hectares of land at Station Road, Biggar to Eric Muirhead, in the sum of £277,000, subject to the terms and conditions detailed in the report, be noted.

8 Sale of Land at Blairbeth Road, Rutherglen

A report dated 5 May 2005 by the Executive Director (Enterprise Resources) was submitted on the sale of 0.66 hectares of land at Blairbeth Road, Rutherglen to Carronvale Homes Limited. It was proposed that the site be sold to Carronvale Homes Limited, who had submitted the best financial offer which was compliant with the planning brief and residential development guidelines, in the sum of £2,450,000.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the sale of 0.66 hectares of land at Blairbeth Road, Rutherglen to Carronvale Homes Limited, in the sum of £2,450,000, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the sale of 0.66 hectares of land at Blairbeth Road, Rutherglen to Carronvale Homes Limited, in the sum of £2,450,000, subject to the terms and conditions detailed in the report, be noted.

9 Sale of Land at Cambuslang Road, Cambuslang

A report dated 17 May 2005 by the Executive Director (Enterprise Resources) was submitted on the sale of 0.52 hectares of land at Cambuslang Road, Cambuslang to Carronvale Homes Limited. It was proposed that the site be sold to Carronvale Homes Limited, who had submitted the highest offer, in the sum of £1,300,000.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the sale of 0.52 hectares of land at Cambuslang Road, Cambuslang to Carronvale Homes Limited, in the sum of £1,300,000, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the sale of 0.52 hectares of land at Cambuslang Road, Cambuslang to Carronvale Homes Limited, in the sum of £1,300,000, subject to the terms and conditions detailed in the report, be noted.

10 Sale of Ground at Plot 8, Langlands Business Park, Hurlawcrook Road, East Kilbride

A report dated 18 May 2005 by the Executive Director (Enterprise Resources) was submitted on the sale of the industrial development Plot 8, Langlands Business Park, Hurlawcrook Road, East Kilbride to Sainsbury's Supermarkets Limited and their appointed nominees. It was proposed that the ground at Plot 8 be sold to Sainsbury's Supermarkets Limited and their appointed nominees in the sum of £724,000.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the sale of the industrial development Plot 8, Langlands Business Park, Hurlawcrook Road, East Kilbride to Sainsbury's Supermarkets Limited and their appointed nominees in the sum of £724,000, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the sale of the industrial development Plot 8, Langlands Business Park, Hurlawcrook Road, East Kilbride to Sainsbury's Supermarkets Limited and their appointed nominees in the sum of £724,000, subject to the terms and conditions detailed in the report, be noted.

11 Sale of 19 Auchingramont Road, Hamilton – Amendment to Terms of Overage Agreement

A report dated 18 May 2005 by the Executive Director (Enterprise Resources) was submitted on the termination of the existing overage payment agreement and the renegotiation of the terms in relation to a revised payment due to the Council upon sale of the completed flats at 19 Auchingramont Road, Hamilton. It was proposed that the revised terms, as detailed in the report, be approved.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the termination of the existing overage payment agreement and the renegotiated terms in relation to a revised payment due to the Council upon sale of the completed flats at 19 Auchingramont Road, Hamilton, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the termination of the existing overage payment agreement and the renegotiated terms in relation to a revised payment due to the Council upon sale of the completed flats at 19 Auchingramont Road, Hamilton, subject to the terms and conditions detailed in the report, be noted.

[Reference: Minutes of Enterprise Resources Committee of 3 April 2001 (Paragraph 18)]

12 Assignment of Ground Lease in Respect of Land at Duke Street/Townhead Street/Low Patrick Street/Quarry Street, Hamilton – The Regent Shopping Centre

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on the assignment of the ground lease granted to Standard Life Assurance Company of land extending to 2.8 hectares at Duke Street/Townhead Street/Low Patrick Street/Quarry Street, Hamilton.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the assignment of the ground lease granted to Standard Life Assurance Company of land extending to 2.8 hectares at Duke Street/Townhead Street/Low Patrick Street/Quarry Street, Hamilton, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the assignment of the ground lease granted to Standard Life Assurance Company of land extending to 2.8 hectares at Duke Street/Townhead Street/Low Patrick Street/Quarry Street, Hamilton, subject to the terms and conditions detailed in the report, be noted.

13 Discharge of Performance Guarantee in Respect of the Princes Gate Office/Retail Complex on Hamilton Town Square

A report dated 29 April 2005 by the Executive Director (Enterprise Resources) was submitted on the discharge of the Performance Guarantee provided by Development Options (Hamilton) Limited to secure the completion of the Princes Gate Development and payment of the Palace Grounds, Hamilton annual service charge.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the discharge of the Performance Guarantee provided by Development Options (Hamilton) Limited to secure the completion of the Princes Gate Development and payment of the Palace Grounds, Hamilton annual service charge, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the discharge of the Performance Guarantee provided by Development Options (Hamilton) Limited to secure the completion of the Princes Gate Development and payment of the Palace Grounds, Hamilton annual service charge, subject to the terms and conditions detailed in the report, be noted.

[Reference: Minutes of Enterprise Resources Committee of 9 November 1999 (Paragraph 17)]

14 Palace Grounds Retail Park, Hamilton – Relaxation of the Current Letting Restrictions

A report dated 20 April 2005 by the Executive Director (Enterprise Resources) was submitted on the variation of the terms of the Ground Lease granted to Equitable Life of land extending to 7.336 hectares at Palace Grounds, Hamilton for the development of the Palace Grounds Retail Park. It was proposed that the current letting restrictions be relaxed to allow a third electrical retailer to occupy the currently vacant Unit 7 at the Palace Grounds, Hamilton.

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the relaxation in the current letting restrictions at the Retail Park, Palace Grounds, Hamilton to allow a third electrical retailer to occupy the currently vacant Unit 7, subject to the terms and conditions detailed in the report.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the relaxation in the current letting restrictions at the Retail Park, Palace Grounds, Hamilton to allow a third electrical retailer to occupy the currently vacant Unit 7, subject to the terms and conditions detailed in the report, be noted.

[Reference: Minutes of 26 August 2003 (Paragraph 8)]

15 Creation of Standard Securities over the Centre West Shopping Development, East Kilbride and Land at Churchill Avenue/Cornwall Way, East Kilbride and Discharge of Existing Securities over Princes and Rothesay Street Car Parks, East Kilbride

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on the:-

- ♦ consent of the Council, as head landlord, for the creation of Standard Securities over the Centre West Shopping Development and land at Churchill Avenue/Cornwall Way, East Kilbride
- ♦ discharge of existing securities over Princes Car Park and Rothesay Street Car Park, both East Kilbride

In view of the requirement to progress this matter as soon as possible and in terms of Standing Order No 36(c), the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, had approved the creation of Standard Securities over the Centre West Shopping Development and land at Churchill Avenue/Cornwall Way, East Kilbride and the discharge of existing securities over Princes Car Park and Rothesay Street Car Park, both East Kilbride, subject to the terms and conditions detailed in the report.

The Committee decided:

that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the creation of Standard Securities over the Centre West Shopping Development and land at Churchill Avenue/Cornwall Way, East Kilbride and the discharge of existing securities over Princes Car Park and Rothesay Street Car Park, both East Kilbride, subject to the terms and conditions detailed in the report, be noted.

[Reference: Minutes of 4 May 2004 (Paragraph 7)]

16 Urgent Business

There were no items of urgent business.