

Report

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Report to:	Estates Committee
Date of Meeting:	19 September 2006
Report by:	Executive Director (Enterprise Resources)

Subject:	Sale of Ground at Eaglesham Road, Jackton Negotiation of Claw Back Agreement
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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 the negotiated claw back agreement for the sale of 1.5 hectares of land at Eaglesham Road, Jackton.

2 Recommendation(s)

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

- (1) approval of the negotiated claw back provision under terms of the legal agreement between the Council and BMJ Properties Ltd for the sale of 1.5 hectares or thereby, Eaglesham Road, Jackton at a revised purchase price of £937,150.
- (2) that in view of requirement to progress this matter as soon as possible and in terms of Standing Order No. 36(c), the action taken by the Executive Director (Enterprise Resources) in consultation with the Chair and an ex-officio Member, and the Head of Legal Services, be noted.

3 Background

- 3.1 The Council agreed to sell an area of land at Eaglesham Road, Jackton shown on the attached plan extending to 1.5 hectares or thereby to BMJ Properties Ltd at the Estates Committee on 21 September 2004 for the sum of £630,000.
- 3.2 Land was sold to provide access to adjacent land owned by BMJ Properties Ltd and to accommodate an attenuation scheme.
- 3.3 There is a claw back clause in the missives which allows for 50% of any uplift in value as a result of development activity, to be payable to the Council.
- 3.4 BMJ Properties Ltd has submitted a planning application for the development of thirty four flats on the 1.5 hectare site together with the alternative scheme referred to earlier.
- 3.5 Negotiations have taken place with BMJ Properties Ltd's agents, CRGP, and an uplift figure of £307,150 has been agreed in respect of the Council's interest.

3.6 This figure takes account of abnormal costs which have been agreed at £0.745m by the Council's Geotechnical Engineer. In addition some abnormal costs have been apportioned on a 50/50 basis.

3.7 The District Valuer has been asked to advise on the negotiated figure and having reviewed the matter has confirmed that it represents Best Value.

4 Proposal

4.1 It is proposed to amend the sale price of the site extending to 1.5 hectares at Eaglesham Road, Jackton from the original negotiated figure of £630,000 to the revised figure of £937,150 to reflect the proposed new development on the land.

5 Employee Implications

5.1 There are no employee implications.

6 Financial Implications

6.1 Disposal of the site will generate an additional capital receipt of £307,150 to the Council's capital receipt programme.

7 Other Implications

7.1 There are no other implications.

8 Consultation

8.1 All necessary consultations with Planning and Roads have taken place.

Iain Urquhart

Executive Director (Enterprise Resources)

5 July 2006

Link(s) to Council Objectives

- None

Previous References

- Estates Committee Report 21 September 2004

List of Background Papers

- None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:- Pat Carr, Capital Transactions Manager, Estates and Support Services

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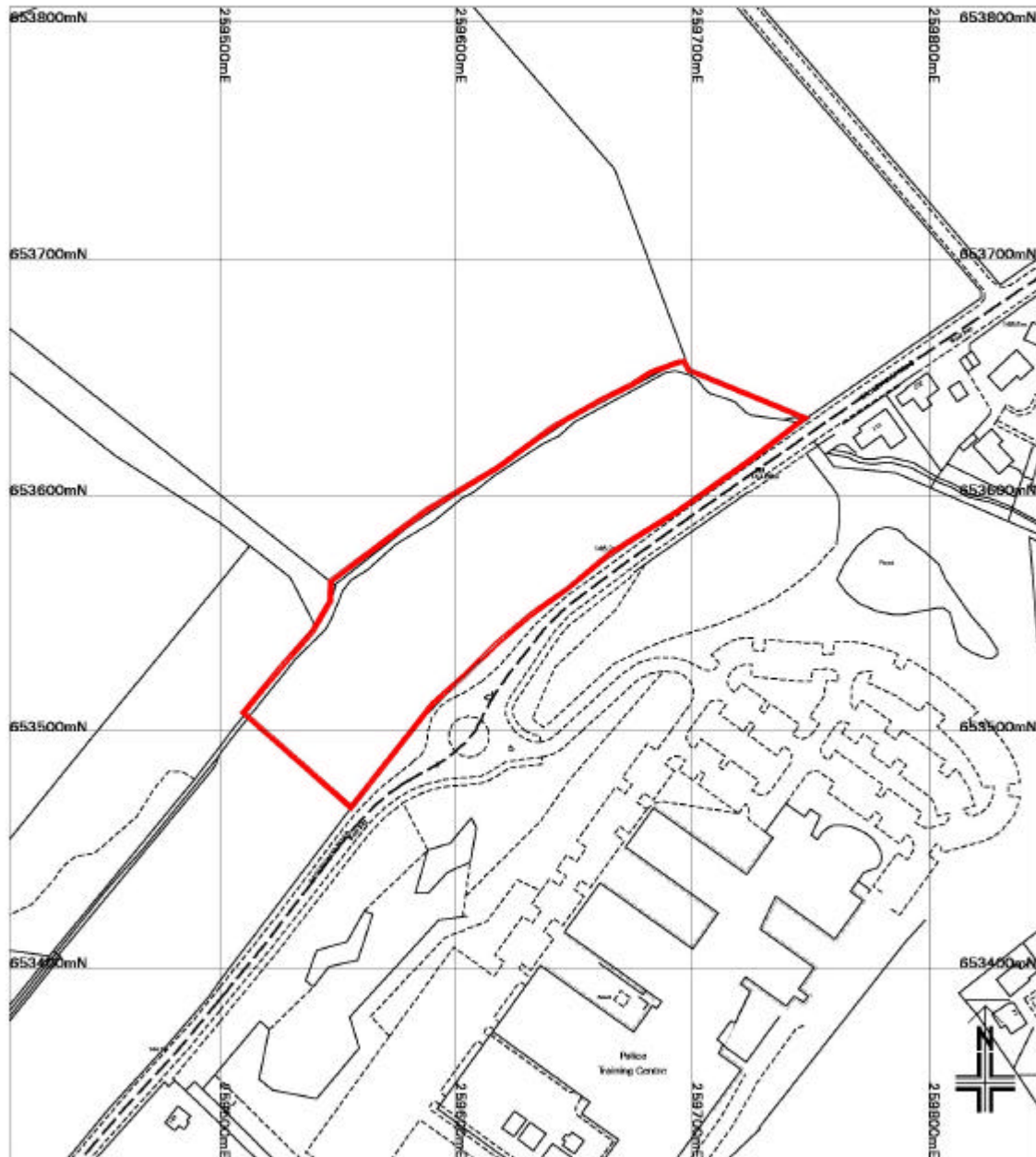
E-mail: pat.carr@southlanarkshire.gov.uk

LOCATION PLAN - For Committee purposes only

Eaglesham Road
East Kilbride



ESTATES SERVICES



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22/06/2006