

Report

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

Subject: **Proposed License Agreement for Sewer Connection under Council Ground at Parkburn Industrial Estate, Hamilton**

1 Purpose of Report

1.1 The purpose of the report is to:-

- ◆ advise on action taken, in terms of Standing Order No 36(c) because of the timescales involved, by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, for a License to be granted by the Council to John Young (Bellshill) Ltd to excavate and lay a surface water sewer connection under ground at Parkburn Industrial Estate, Hamilton.

2 Recommendation(s)

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

- (1) that the following 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, be noted:-
 - approval of permission be granted to allow a surface water pipe to be laid underground in accordance with the design approved by Scottish Water at Parkburn Industrial Estate, Hamilton.
 - that the Licensee be granted access to the said pipe, once laid, for the defects liability period until adopted by Scottish Water.
 - authorisation of the Executive Director (Enterprise Resources), in consultation with Head of Legal Services, if appropriate, to conclude the necessary legal agreements on behalf of the Council.

3 Background

- 3.1 John Young (Bellshill) Ltd are developing a fourteen unit residential site adjacent to Parkburn Industrial Estate and require a surface water connection for the site.
- 3.2 A connection to the nearest outfall, using the Street Works Act, could cost them approximately £65,000.
- 3.3 The Council own ground which is adjacent to the site and has direct access to a surface water outlet and John Young (Bellshill) Ltd have requested a License to lay the sewer across the Council's land.

- 3.4 The proposed sewer route and design have been approved by Scottish Water who will adopt the system after the defects liability period has passed, usually one year after work completed.

4 Terms and Conditions

- 4.1 The main terms and conditions proposed are:-

- (1) The License will endure for twelve calendar months or until such time that the sewer is adopted by Scottish Water.
- (2) Access to the site shall be given on delivery of a Scottish Water approved method statement.
- (3) The fee for granting of the license shall be £22,500 which equates to 50% of the actual saving to the contractor.
- (4) South Lanarkshire Council agrees to enter into a servitude with Scottish Water, if required at a later date at no cost to the Council.
- (5) The Licensee shall indemnify the Council for any direct or third party loss, whilst accepting the site and shall reinstate the site on completion.

5 Employee Implications

- 5.1 There are no direct employee implications with the proposal.

6 Financial Implications

- 6.1 There are no financial implications associated with the proposal other than the payment of £22,500.

7 Other Implications

- 7.1 The granting of this License also reduces the impact drainage work would have on the street at or around the development site.

8 Consultation

- 8.1 Planning permission was granted for the development on 19 April 2006.

Iain Urquhart
Executive Director (Enterprise Resources)

28 August 2006

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:- John McGrow, Estates and Support Services

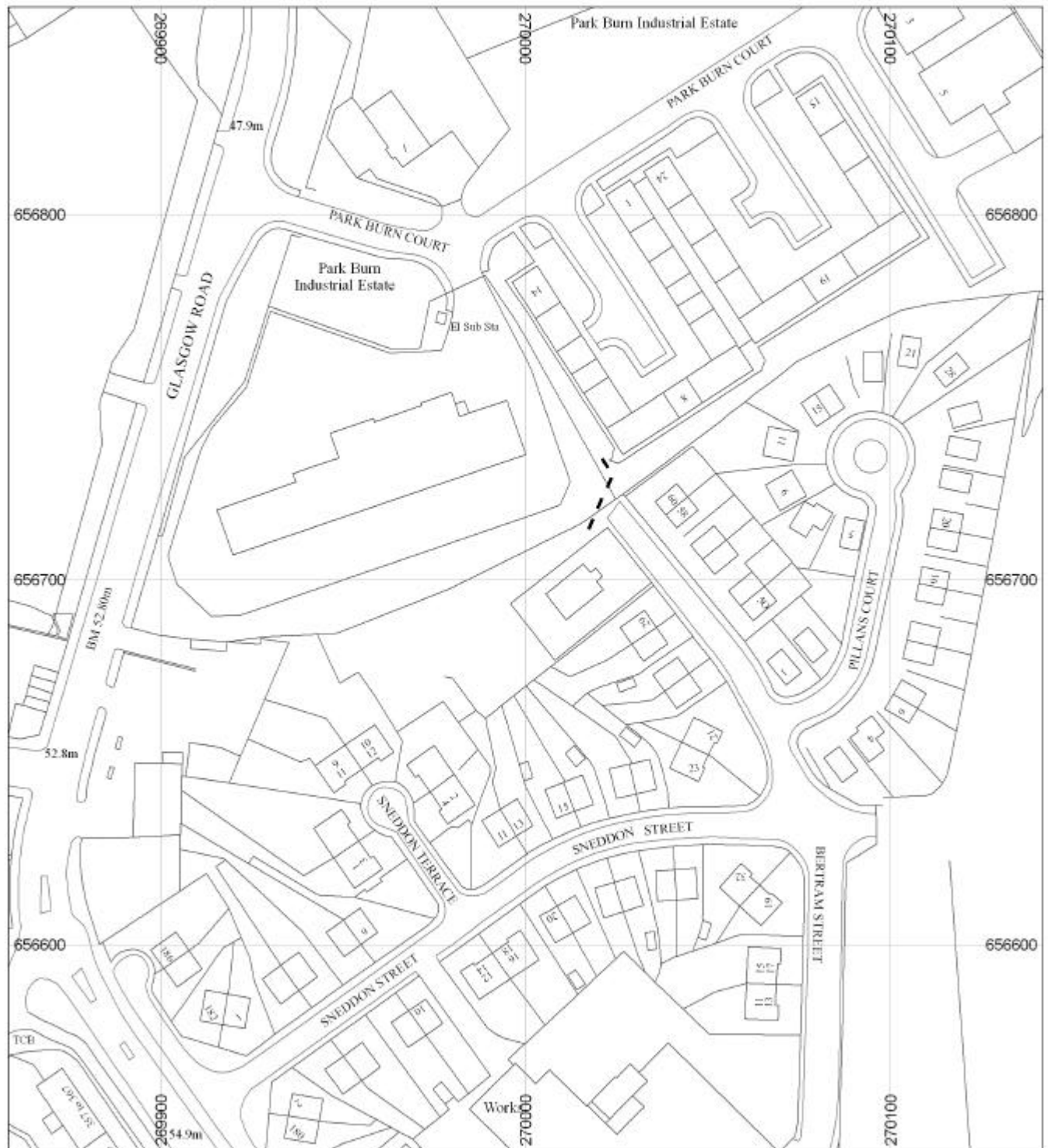
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Parkburn Industrial Estate, Hamilton



ESTATES SERVICES



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