

# HOUSING AND TECHNICAL RESOURCES COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 5 February 2020

## Chair:

Councillor Josh Wilson

## Councillors Present:

Councillor Robert Brown, Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Janine Calikes, Councillor Mary Donnelly (*substitute for Councillor Stephanie Callaghan*), Councillor Graeme Campbell, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Gerry Convery, Councillor Maureen Devlin, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor George Greenshields, Councillor Eric Holford, Councillor Mark Horsham (*substitute for Councillor Geri Gray*), Councillor Martin Lennon, Councillor Eileen Logan, Councillor Colin McGavigan, Councillor Mo Razzaq, Councillor John Ross (ex officio), Councillor David Shearer, Councillor Collette Stevenson, Councillor Jared Wark

## Councillors' Apologies:

Councillor Stephanie Callaghan (Depute), Councillor Poppy Corbett, Councillor Geri Gray

## Attending:

### Finance and Corporate Resources

J Burke, Administration Assistant; M M Cairns, Legal Services Manager; H Goodwin, Finance Manager (Resources); C Lyon, Administration Officer; E Maxwell, Human Resources Business Partner; L O'Hagan, Finance Manager (Strategy)

### Housing and Technical Resources

D Lowe, Executive Director; A Finnan, Head of Housing Services; J Forbes, Property Manager; F McCafferty, Head of Property Services

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## 1 Declaration of Interests

No interests were declared.

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Housing and Technical Resources Committee held on 13 November 2019 were submitted for approval as a correct record.

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

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## 3 Capital Budget Monitoring 2019/2020 - Housing and Technical Resources (excl HRA)

A joint report dated 15 January 2020 by the Executive Directors (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted advising of progress on the capital programme for Housing and Technical Resources (excl HRA) for the period 1 April to 6 December 2019.

**The Committee decided:** that Housing and Technical Resources' capital programme (excl HRA) of £7.310 million and expenditure to 6 December 2019 of £1.376 million be noted.

*[Reference: Minutes of 13 November 2019 (Paragraph 3)]*

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#### **4 Capital Budget Monitoring 2019/2020 - Housing and Technical Resources (HRA)**

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A joint report dated 15 January 2020 by the Executive Directors (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted advising of progress on the capital programme for Housing and Technical Resources (HRA) for the period 1 April to 6 December 2019.

**The Committee decided:** that Housing and Technical Resources' capital programme (HRA) of £61.835 million and expenditure to 6 December 2019 of £28.218 million be noted.

*[Reference: Minutes of 13 November 2019 (Paragraph 4)]*

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#### **5 Revenue Budget Monitoring 2018/2019 - Housing and Technical Resources (excl HRA)**

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A joint report dated 31 December 2019 by the Executive Directors (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted comparing actual expenditure at 6 December 2019 against budgeted expenditure for Housing and Technical Resources' revenue budget (excl HRA), together with a forecast for the year to 31 March 2020.

Following the probable outturn exercise, the financial forecast for the revenue budget to 31 March 2020 was a breakeven position.

**The Committee decided:**

- (1) that the breakeven position on Housing and Technical Resources' revenue budget (excl HRA), as detailed in Appendix A to the report, be noted;
- (2) that the forecast to 31 March 2020 of a breakeven position be noted; and
- (3) that the proposed budget virements be approved.

*[Reference: Minutes of 13 November 2019 (Paragraph 5)]*

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#### **6 Revenue Budget Monitoring 2019/2020 - Housing and Technical Resources (HRA)**

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A joint report dated 31 December 2019 by the Executive Directors (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted comparing actual expenditure at 6 December 2019 against budgeted expenditure for Housing and Technical Resources' revenue budget (HRA), together with a forecast for the year to 31 March 2020.

Following the probable outturn exercise, the financial forecast for the revenue budget to 31 March 2020 was a breakeven position.

**The Committee decided:**

- (1) that the breakeven position on Housing and Technical Resources' revenue budget (HRA), as detailed in Appendix A to the report, be noted;
- (2) that the forecast to 31 March 2020 of a breakeven position be noted; and
- (3) that the proposed budget virements be approved.

*[Reference: Minutes of 13 November 2019 (Paragraph 6)]*

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## **7 Housing and Technical Resources – Workforce Monitoring – October and November 2019**

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A joint report dated 31 December 2019 by the Executive Directors (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted on the following employee information for Housing and Technical Resources for the period October and November 2019:-

- ♦ attendance statistics
- ♦ occupational health statistics
- ♦ accident/incident statistics
- ♦ discipline, grievance and Dignity at Work cases
- ♦ analysis of leavers and exit interviews

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 13 November 2019 (Paragraph 7)]*

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## **8 Housing Revenue and Capital Account Budget 2020/2021**

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A joint report dated 8 January 2020 by the Executive Directors (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted on:-

- ♦ the Revenue Estimate proposals for the Housing Revenue Account (HRA) for 2020/2021 which had been prepared in line with the 30 year Business Plan
- ♦ the Housing Capital Programme totalling £97.303 million

In order to achieve the level of investment to reflect the priorities of increasing the supply of Council houses, maintaining the Council's housing stock to meet the requirements of the Scottish Housing Quality Standard (SHQS) and to work towards the new Energy Efficiency Standard for Social Housing (ESSH) and other necessary works, a rent increase of 3.95% required to be applied to all Council houses, travelling persons' sites, garage sites and lockups.

The movement, as compared to the existing 2019/2020 revenue budget, was outlined in Appendix 1 to the report. The movements were summarised in the report.

During the consultation process for 2018/2019, tenants had expressed their support for a multi year approach to rent setting, with an indicative increase of 3.95% for a 3 year period. This would allow greater clarity in planning and managing this aspect of their household bills, as well as increased certainty in terms of financial planning of the HRA. In order to continue to deliver on investment priorities and maintain service levels, it was proposed that the Council continue with the increase of 3.95% for the final year of the existing Rent Strategy.

The proposals also took account of a requirement to increase the provision for bad debts to £5.860 million to meet the anticipated arrears as a result of welfare reform.

In accordance with the Council's commitment to rent harmonisation, it was proposed that all tenants paying below the harmonised rent level would pay up to an additional maximum amount of £2.00 per week.

In line with the Housing Investment Business Plan, efficiency savings of £0.275 million had been included in the overall budget. This included a reduction in the following budgets:-

Strategy and other support posts (3 FTE vacancies)	£0.108 million
General administration and processing costs	£0.064 million
Budget realignment to reflect existing cost of the pension scheme	£0.103 million

Details of the proposed Housing Capital Programme, totalling £97.303 million, were provided in Appendix 2 to the report and information on how the Programme would be funded was summarised in the report. The Programme would ensure the progress of a key priority within the Housing Investment Programme to increase the supply of Council housing.

A wide-ranging consultation had been carried out with tenants and other stakeholders and details of the consultation process and associated outcomes were provided.

**The Committee recommended to the Executive Committee:**

- (1) that the Revenue Estimate proposals for the Housing Revenue Account Budget 2020/2021, as detailed in Appendix 1 to the report, be endorsed;
- (2) that the rent increase of 3.95% for Council houses, travelling persons' sites, lockups and garage sites be endorsed;
- (3) that the next stage of rent harmonisation be progressed as detailed in the report; and
- (4) that, based on the proposed rent increase, the 2019/2020 Housing Capital Programme of £97.303 million, as detailed in Appendix 2 to the report, be endorsed.

*[Reference: Minutes of South Lanarkshire Council (Special) of 20 February 2019 (Paragraph 2)]*

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## **9 South Lanarkshire Council Gypsy/Traveller Pitch Allocation Policy Review**

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A report dated 16 January 2020 by the Executive Director (Housing and Technical Resources) was submitted on the introduction of a revised South Lanarkshire Gypsy/Traveller Pitch Allocation Policy with effect from 1 May 2020.

The Council currently provided 2 sites for Gypsy/Travellers, comprising a total of 27 pitches, located at Shawlands Crescent in Larkhall and Springbank Park in East Kilbride.

As part of the review, consultation on the draft Gypsy/Traveller Pitch Allocation Policy took place between 21 October and 8 December 2019. The review had been progressed at the same time as wider engagement with the community in relation to continued development and implementation plans within both sites.

All feedback received from the consultation had been considered and changes incorporated as appropriate, into the revised Policy which was attached as Appendix 1 to the report.

Nationally, there had recently been significant changes to the policy framework, including the joint publication in October 2019 by CoSLA and the Scottish Government of the “Improving the Lives of Gypsy Traveller” Action Plan.

The Housing Allocation Policy had been reviewed during 2018/2019 to reflect the legislative changes introduced through the Housing (Scotland) Act 2014. The revised Policy was approved by the Executive Committee on 1 May 2019.

The Gypsy/Traveller Pitch Allocation Policy had been reviewed to align with the revised Housing Allocation Policy and the recent legislative changes.

The revised Policy continued to focus on ensuring that those areas deemed to be in most need would be prioritised for a pitch, balanced with the consideration to ensure stability across both sites.

A key change to the revised Policy was in relation to timescales for the suspension of applications, which had been amended to align with the Housing Allocation Policy, to ensure fairness and consistency. Another key change was to expand the number of categories under which priority was awarded, recognising the wide range of previous housing circumstances and need that the applicant had.

**The Committee recommended to the Executive Committee:** that the revised South Lanarkshire Council Gypsy/Traveller Pitch Allocation Policy, as attached at Appendix 1, be approved and implemented from 1 May 2020.

*[Reference: Minutes of the Executive Committee of 16 December 2009 (Paragraph 11)]*

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## **10 South Lanarkshire Rapid Rehousing Transition Plan – Funding Allocation and Staffing Resources**

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A joint report dated 18 December 2019 by the Executive Directors (Housing and Technical Resources) and (Finance and Corporate Resources) was submitted on funding provided by the Scottish Government to support the implementation of the South Lanarkshire Rapid Rehousing Transition Plan (RRTP).

South Lanarkshire’s Rapid Rehousing Transition Plan 2019 to 2024 had been developed in conjunction with a wide range of partners and submitted to the Scottish Government in December 2018. The final Plan was approved by this Committee on 23 January 2019 and reported to the Community Planning Partnership Board on 19 June 2019. The implementation of the RRTP had been progressed by the Homelessness Strategy Group which had representation from all key partners.

The Scottish Government had provided positive feedback on the Plan and highlighted its strong partnership approach.

In December 2018, the Scottish Government had provided funding of £105,000 to support the initial development and implementation of the Plan. The funding had been primarily used to fund the appointment of 1 FTE post of Strategy Co-ordinator at Grade 3, Level 8, SCP 77-80 (£36,881.23 to £38,614.88) within the Strategy and Support section of Housing and Technical Resources for a period of 18 months from April 2019.

In July 2019, the Council was awarded a further £461,000 from the Scottish Government's Ending Homelessness Together Fund to support the implementation of actions for the first year of the RRTP. This funding had been used to progress a number of key priorities detailed in the plan, including:-

- ◆ the further development of the HomeStart Service, which supported people moving from homelessness, or who might be at risk of homelessness, to set up and sustain their home
- ◆ partnership working to further develop Housing First
- ◆ conversion of temporary tenancies to permanent homes thereby allowing homeless households to remain within the temporary accommodation in which they had settled
- ◆ the provision of starter packs to households who had experienced homelessness
- ◆ increased availability of intensive support services across South Lanarkshire
- ◆ enhanced support available to people who were homeless or at risk of becoming so and who were experiencing domestic abuse or were leaving care
- ◆ increased prevention activity across all housing tenures
- ◆ further developing a partnership approach to preventing homelessness for individuals leaving prison

In December 2019, the Scottish Government confirmed that £453,000 funding would be provided to support the implementation of RRTP in 2020/2021.

It was proposed that this funding be used to support the further development of the Home Start Service and that 4 FTE posts of Housing Officer at Grade 2, Level 1-3, SCP 34-48 (£20,820 to £25,589) be added to the establishment of Housing and Technical Resources on a temporary basis for a period of 12 months.

It was also proposed that a further 2 FTE posts of Housing Officer at Grade 2, Level 1-3, SCP 34-48 (£20,820 to £25,589) be added to the establishment on a temporary basis for a period of 12 months who would have responsibility for working to prevent homelessness and provide advice and support to specific groups. While the officers would work as part of the wider HomeStart Service, they would have a focus on working with particular households who were homeless, or at risk of becoming homeless, due to domestic abuse, leaving care or being released from prison.

A full review of progress made in implementing the RRTP in 2019/2020 would be provided to this Committee on 17 June 2020.

**The Committee decided:**

- (1) that the update on the funding provided by the Scottish Government to support the implementation of the South Lanarkshire Rapid Rehousing Transition Plan be noted; and
- (2) that the 6 posts of Housing Officer, as detailed above, be added to the Resource establishment for a fixed period of 12 months.

*[Reference: Minutes of 23 January 2019 (Paragraph 13)]*

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## **11 Empty Homes in South Lanarkshire**

A report dated 18 December 2019 by the Executive Director (Housing and Technical Resources) was submitted on empty homes in South Lanarkshire.

Part of the Scottish Government's commitment to planning for how our communities should look and feel in 2040, was to ensure that every home was occupied. In order to achieve this vision, a network of Empty Homes Officers was continuing to expand across Scotland. Those officers were predominantly employed by local authorities, supported by the Scottish Empty Homes Partnership (SEHP), who facilitated bringing private homes back into use and offered kick-start funding to local authorities to introduce this type of post. Discussions had taken place with SEHP with a view to further develop partnership working with the Council to enhance existing services to help bring empty homes back into use.

During 2019, the Local Government and Communities Committee (LGCC) had conducted an enquiry into the issue of empty homes in Scotland. This resulted in a report which highlighted that this Council had limited provision to assist owners of empty homes.

The LGCC also scrutinised the use of discretionary powers available to local authorities to implement a surcharge of up to 100% on the council tax accounts of empty home owners. The Council implemented those powers in April 2019. The LGCC's report reiterated the Scottish Government's position that revenues from the surcharge should contribute to bringing empty homes back into use.

In view of the relative success achieved elsewhere by establishing a dedicated Empty Homes Officer post, it was proposed that 1 FTE post of Strategy and Policy Officer (Empty Homes) at Grade 3, Level 2-4, SCP 74 (£38,675) be added to the Resource establishment.

The post would be incorporated into the existing structure of the Strategy and Support section and contribute to the strategic objectives for empty homes as highlighted in the Local Housing Strategy and the Strategic Housing Investment Plan.

The dedicated officer would also provide a range of services, advice and assistance tailored to the individual needs of each owner who engaged with the service. This proposal required an operational budget of £20,000 per annum.

The revenue generated by the empty home council tax surcharge was currently allocated to the General Service fund, however, there was a clear expectation and need for a proportionate contribution from the extra income to support the action on empty homes and be used to assist empty home owners to bring their properties back into use. A contribution from the revenues raised would be allocated to the establishment of the dedicated post and further development of the service.

The role would also include co-ordinating a cross-Resource working group with representation from other Council services such as council tax, environmental health, anti-social behaviour, legal services and landlord registration.

The SEHP had agreed that they would contribute financial assistance of 50% for the first 2 years for the employment of a Strategy and Policy Officer (Empty Homes). Subject to Committee approval, the contractual agreement with the SEHP for the allocation of 'kick-starter' funding of £51,438 over 2 years for a dedicated Strategy and Policy Officer (Empty Homes) would be finalised.

Monitoring and reporting arrangements would be put in place and would include a financial assessment of the impact of the revised approach to service.

#### **The Committee decided:**

- (1) that the update on the empty homes profile within South Lanarkshire and the Scottish Government's position on tackling the problem of empty homes nationally be noted;

- (2) that a contractual arrangement be finalised with the Scottish Empty Homes Partnership (SEHP) to utilise kick-starter funding to support the recruitment of a Strategy and Policy Officer (Empty Homes) within Housing and Technical Resources;
- (3) that 1 FTE post of Strategy and Policy Officer (Empty Homes) at Grade 3, Level 2-4, SCP 74 (£38,675) be added to the Resource establishment; and
- (4) that additional funding for the post and associated operational budget be provided from the revenues raised from the council tax empty homes surcharge.

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## **12 Policy and Strategy Review Schedule**

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A report dated 18 December 2019 by the Executive Director (Housing and Technical Resources) was submitted on the Policy and Strategy Review Schedule for Housing and Technical Resources.

A formal Policy Review Schedule, to support the ongoing systematic service improvement process, had been formally approved by this Committee in October 2011. Regular updates had been provided over the years, with the most recent being in January 2019.

The scope of the policy areas covered by the Schedule reflected key service areas which were included in the Scottish Housing Regulator's regulatory framework.

The revised Schedule, which also included a timeline for the review of policies and strategies for which the Resource had lead responsibility, had been developed to reflect changes at a local and national level in policy development and also reflected the implementation of other legislative and regulatory changes.

### **The Committee decided:**

- (1) that the revised Policy and Strategy Review Schedule, attached as Appendix 1 to the report, be approved; and
- (2) that the outcome of the Policy and Strategy Reviews be reported to future meetings of this Committee as appropriate.

*[Reference: Minutes of 23 January 2019 (Paragraph 11)]*

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## **13 Re-design of the Out of Hours Emergency Repairs Service**

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A joint report dated 7 January 2020 by the Executive Directors (Housing and Technical Resources) and (Finance and Corporate Resources) was submitted on progress with the negotiations with trades unions on the development of a revised model of service delivery for the Out of Hours Emergency Repairs Service.

As part of the ongoing work across the Resource to minimise the financial implications of premium cost overtime, Property Services had established the Overtime Review Group to review overtime payments. The Group, which first met in 2017, was chaired by the Head of Property Services and consisted of operational service managers from the Building Services' Contracts and Maintenance Sections, officers from Finance Services, Personnel Services and representatives from the trades unions.

As the largest area of overtime spend had been identified as within the Out of Hours Emergency Repairs Service, a review of this service commenced to assess any options for service re-design.



This service was currently delivered by trades operatives from Property Services through a voluntary standby arrangement. This arrangement involved a rota of approximately 100 trades operatives who provided cover in 1 week blocks. Operatives could be allocated multiple weeks standby over the course of any year.

Operatives currently received a fixed payment of £90.95 per week for being on standby, with an additional call out payment of £14.52 for the 2 hour period following the initial call out. Operatives were also entitled to an overtime payment from the time they received the call out until they returned home.

In addition to the direct payments made to operatives, there were further costs incurred by the Repairs Service related to Out of Hours repairs and those were detailed in the report.

The full cost of the Out of Hours Emergency Repairs Service in financial year 2016/2017, when this review commenced, was £0.673 million. A breakdown of this was detailed in the report.

During the first stage of the review, a detailed analysis of the demand in 2016/2017 had been undertaken. An assessment had also been carried out on the time period of when those repairs had taken place.

From this information, it had been determined that premium overtime payments could be reduced through the establishment of a dedicated workforce to provide the service. Using the statistical information on the number of calls received and the time period they were received in, it was concluded that the most efficient and effective model of delivery would be through 2 dedicated teams of 9 operatives, consisting of 3 plumbers, 3 joiners and 3 electricians. Those teams would be required to work on a shift pattern which reflected the anticipated demand of the service.

The teams would work on a weekly rota of 4 days work and 4 days rest, with the active team also providing emergency cover from midnight until the new shift commenced at 8.00am through a standby arrangement, whereby 1 operative from each trade would remain "on call" over this period.

The initial financial assessment of the proposed re-design service estimated savings of £424,000 per year.

Trades unions had not proposed any alternative delivery model and there were no operational issues identified which would prevent the re-designed service being implemented. The focus of the discussions was, therefore, on a compromise being reached with the terms and conditions package for this proposal.

Those discussions had led to amendments to the original proposal, as detailed in paragraph 6.2 of the report, which reduced the estimated savings to £253,000 per year.

Following development of the improved terms and conditions package, trades unions representatives engaged with their members and feedback provided was that there was limited interest in participating in the proposed service delivery model.

At the meeting of the Overtime Review Group on 26 June 2019, the deputy convenor of Unite the Union had presented an alternative delivery model. The financial impact of moving from the current delivery model to the proposed alternative model provided a net saving of £3,724 per year.

Advice on the proposal had been provided by Personnel Services who confirmed that it was not in line with the nationally agreed COSLA schedule for Standby Duty for Officers other than Social Work, currently in place across all other Council services. Any change to this agreed position required to be further reviewed as there could be implications for other Resources and services delivered by the Council.

Following a meeting held with representatives of political groups, trades unions and service management held on 3 October 2019, it had been decided to carry out an exercise to assess the level of interest in participating in the re-designed model as outlined at Section 6, from the existing workforce. There were 9 positive responses received.

It was proposed that the option for the re-designed service, as set out in Section 6 of the report, incorporating the amended terms and conditions agreed with the Trades Unions be agreed for implementation.

If approved, communication would be undertaken with trades operatives on the re-designed model and they would be asked if they wished to participate. It was planned that the team would initially be filled from the existing workforce. Should there not be sufficient uptake, the service would recruit posts externally using vacancies from the existing establishment.

In addition, 3 FTE posts of Building Services Operative (Trade) at Grade 2, Level 4 to Grade 3, Level 2, SCP 55-65 (£30,018 to £34,840) would be added to the Resource establishment on a fixed term basis for 1 year.

Following implementation, workload and staffing across the Maintenance Service would be continually assessed as part of the Service's ongoing workforce planning.

Councillor Wilson, seconded by Councillor Chalmers, moved that the recommendations within the report be approved. Councillor Convery, seconded by Councillor Burns, moved as an amendment that the recommendation to approve the amended proposal for the Re-design of the Out of Hours Emergency Repairs Service be rejected. On a vote being taken by a show of hands, 9 members voted for the amendment and 15 for the motion which was declared carried.

**The Committee decided:**

- (1) that progress with the negotiations with the Trades Unions be noted; and
- (2) that the amended proposal for the Re-design of the Out of Hours Emergency Repairs Service, as detailed in Section 6 of the report, be approved for implementation.

*[Reference: Minutes of 6 February 2019 (Paragraph 2) and Minutes of the Executive Committee of 13 February 2019 (Paragraph 10)]*

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## **14 2 King Street, Larkhall – Lease to Larkhall Christians Together on Concessionary Terms**

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A report dated 23 December 2019 by the Executive Director (Housing and Technical Resources) was submitted on a request for a 10 year concessionary lease of 2 King Street, Larkhall to Larkhall Christians Together.

The Executive Committee, at its meeting on 8 March 2017, had approved the creation of a lease to Larkhall Christians Together for a period of 1 year on concessionary rental terms. The initial project was to re-open the former public toilets and create a community facility where people could obtain information on the services and activities available in the area and to provide space to hold meetings.

At the end of the 1 year lease, the organisation did not consider that they had a sufficient number of community activities in place to justify requesting a Community Asset Transfer by purchase. Instead, the organisation had requested a 2 year extension of the lease which had been approved by the Executive Committee on 27 June 2018.

The current lease was due to expire on 2 August 2020 and the organisation did not consider outright ownership of the property a viable option at present and had approached the Council to request a 10 year lease agreement.

Larkhall Christians Together had provided a summary of the activities delivered through the project to date and a business plan which set out the risks, benefits and financial arrangements for the future of the facility, known as the Lighthouse.

At present, the viability of the project was marginal and relied on donations to support its operation, however, the business plan set out proposals for income generation that would see the operating costs fully recovered within the next 4 years.

The principal terms and conditions of the lease were detailed in the report and included confirmation that the rental would be £1 per annum.

**The Committee decided:**

- (1) that a 10 year lease be granted for the community facility at 2 King Street, Larkhall to Larkhall Christians Together, at a rental of £1 per annum, and subject to the principal terms and conditions as outlined in Section 4 of the report; and
- (2) that the Executive Director (Housing and Technical Resources), in consultation with the Head of Administration and Legal Service, be authorised to conclude all matters in respect of the extension of the existing concessionary lease.

*[Reference: Minutes of the Executive Committee of 27 June 2018 (Paragraph 15)]*

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## **15 Acquisition of 13 St Vincent Place, Lanark**

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A report dated 6 November 2019 by the Executive Director (Housing and Technical Resources) was submitted on the acquisition of 13 St Vincent Place, Lanark.

The Council's Education Resources (Universal Connections) occupied the property at 13 St Vincent Place, Lanark. The property was located within a range of 3 storey units, with retail and commercial use on the ground floor and residential on the upper 2 floors. Lanark Universal Connections had converted all 3 floors to provide a facility with a total area of 215.23m<sup>2</sup>.

The building at 13 St Vincent Place, Lanark was leased from Chestnutt Skeoch Limited on a 25 year lease, which had expired on 31 December 2019 but continued on tacit relocation while negotiations took place.

The current rental for the building was £22,500 per annum and, in the event that the lease ended, the Council's dilapidations liability under the current lease was estimated to be in the region of £80,000. The property was in good condition and was considered suitable for Universal Connections' purposes for the foreseeable future.

The landlord of the property had approached the Council to ascertain whether the Council was interested in either acquiring the building or, alternatively, entering into a new long term lease prior to the landlord selling on the open market.

Should the Council choose not to purchase the property, the landlord would require Education Resources/Universal Connections to enter into a new 10 year lease, failing which the service would have to move to alternative premises. In this situation, the rental level would be increased to £23,000.

The opportunity had been discussed with Education Resources and consideration given to a number of options, including relocating to alternative accommodation in the Lanark area. The option to remain at the current property was operationally preferred due to the location of the property and the standard of accommodation it provided.

Under the long lease option, the Council would incur rental expenditure of a minimum of £230,000, excluding dilapidations, and at the end of 2030 would have no asset. The proposal to purchase the property represented best value to the Council.

The opportunity to purchase was not accounted for in the current capital programme. However, funds were held by the Estates Portfolio from previous legal land settlements which could meet the purchase price of £222,500. It was proposed that the property be acquired by the Estates Portfolio and Education Resources remain in occupation.

The ownership of the property allowed the Council to control and appropriately phase any repairs and maintenance programme for the property.

The property had alternative use value and should, at some future date, Education Resources no longer require the property for service delivery, it could be sold or converted to residential or commercial use.

The principal terms and conditions of the acquisition were detailed in the report.

**The Committee decided:**

- (1) that the property at 13 St Vincent Place, Lanark be acquired from Chesnutt Skeoch Limited for the sum of £222,500, exclusive of VAT, and in terms of the principal conditions contained in Section 4 of the report; and
- (2) that the Executive Director (Housing and Technical Resources), in consultation with the Head of Administration and Legal Services, be authorised to conclude all other matters in respect of the acquisition and enter into the necessary legal agreements on terms which were in the best interests of the Council.

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## **16 Disposal of Land at Eaglesham Road, Jackton**

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A report dated 17 January 2020 by the Executive Director (Housing and Technical Resources) was submitted on the disposal of the site currently held under option at Eaglesham Road, Jackton to BMJ Property Limited or assignees or nominees.

The Council owned an area of land, at Eaglesham Road, Jackton, as shown on the plan attached to the report. The site was the subject of an option agreement with BMJ Property Limited and the owner of the adjoining land, which was part of the East Kilbride Community Growth Area.

The option agreement was concluded on 26 July 2004 for the disposal of the land at 100% market value, subject to the deduction of abnormal costs. An essential condition of the option agreement was that it could only be exercised following the grant of detailed planning consent.

Detailed planning consent had not yet been applied for and the option holder, BMJ Property Limited, would not now be the developer of the site as they intended to dispose of both those interests to a developer who would obtain the necessary planning consents and take the development forward.

The option land provided a preferred, but not essential, access to the larger site and as part of the viability assessment of the development, there required to be agreement on the acquisition of the land in the Council's ownership to establish whether or not it would form part of the overall development or remain undeveloped and under option.

The option owner had requested to acquire the Council's land as an adjoining owner, rather than exercise the option agreement and negotiations had been entered into regarding the potential sale of the site.

The principal conditions of the disposal were detailed in the report.

**The Committee decided:**

- (1) that the option site at Eaglesham Road, Jackton, extending to 3.93 acres, or thereby, be disposed of to BMJ Property Limited, or assignees or nominees, for the sum of £700,000, exclusive of VAT, and in terms of the principal conditions contained in Section 4 of the report; and
- (2) that the Executive Director (Housing and Technical Resources), in consultation with the Head of Administration and Legal Services, be authorised to conclude all other matters in respect of the disposal and enter into the necessary legal agreements on terms which were in the best interests of the Council.

*[Reference: Minutes of the Estates Committee of 23 August 2005 (Paragraph 10)]*

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## **17 Proposed Lease of Ground at 7 Locations with Associated Servitude Rights of Access**

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A report dated 10 January 2020 by the Executive Director (Housing and Technical Resources) was submitted on:-

- ◆ a request for the Council to grant seven 99 year leases of ground to SP Distribution Plc at the following locations:-
  - ◆ Lanark Loch Car Park, Lanark
  - ◆ Abington Car Park, Abington
  - ◆ Smugglers Brig Road Car Park, Crossford, Carluke
  - ◆ Low Parks Museum Car Park, Hamilton
  - ◆ Chatelherault Country Park Car Park, Hamilton
  - ◆ Kildare Road Car Park, Lanark
  - ◆ Larkhall Park and Ride Car Park, McNeill Street, Larkhall
- ◆ a proposal to authorise the laying of cables and to grant a servitude right of access in favour of SP Distribution Plc to the substation and associated cables for maintenance and inspection

On 4 February 2020, the Executive Director (Community and Enterprise Resources) had submitted a report to the Community and Enterprise Resources Committee advising of the Electric Vehicle infrastructure trial project which involved Transport Scotland, Scottish Power Energy Networks (SPEN) and North and South Lanarkshire Councils. The Committee approved that the Executive Director (Community and Enterprise Resources), in consultation with the Head of Administration and Legal Services, be authorised to enter into the necessary legal or partnership agreements required to deliver this project.

Working in partnership with the Scottish Government, Transport Scotland, SPEN and North Lanarkshire Council, proposals were currently being developed to provide an enhanced network of electric vehicle public charging infrastructure across Lanarkshire. It was estimated that around £2.5 million would be invested across South Lanarkshire, with a similar amount in North Lanarkshire. All capital funding would be provided by Transport Scotland and works implemented by SPEN.

The project would see SPEN procure and install 220 electric vehicle charging points in potentially 37 locations (hubs) across South and North Lanarkshire. 60 of those would be rapid (50kw) charging points.

To support the project, SP Distribution Plc/SPEN had approached the Council to lease land to construct new substations at 7 locations throughout South Lanarkshire.

The substations required to be constructed on sites extending to 25m<sup>2</sup> at those 7 locations, although exact positions were under discussion. All of the locations were owned by South Lanarkshire Council and held in the Community and Enterprise Planning Account.

It was an essential requirement of SP Distribution Plc that the leases for the substations be executed prior to energising the substations.

The principal terms and conditions for the leases were detailed in the report.

**The Committee decided:**

- (1) that SP Distribution Plc be granted a 99 year lease of ground at the 7 locations, as detailed in the report, to construct new electricity substations and the laying of cables and the grant of servitude rights of access subject to the main lease terms and conditions, as detailed in Section 4 of the report; and
- (2) that the Executive Director (Housing and Technical Resources), in consultation with the Head of Administration and Legal Services, if appropriate, be authorised to conclude all matters in respect of the grant of leases and enter into the necessary legal agreements on terms which were in the best interests of the Council.

*[Reference: Community and Enterprise Resources Committee of 4 February 2020 (Paragraph 8)]*

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## **18 Notification of Contracts Awarded – 1 August to 31 December 2019**

A report dated 31 December 2019 by the Executive Director (Housing and Technical Resources) was submitted on:-

- ◆ contracts awarded by Housing and Technical Resources, Project Services, valued in excess of £50,000, in the period 1 August to 31 December 2019
- ◆ contracts awarded by Procurement Services
- ◆ contracts awarded by Building Services

Details of the contracts and projects were provided in the appendices to the report.

**The Committee decided:** that the report be noted

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## **19 Urgent Business**

There were no items of urgent business.

