



Council Offices, Almada Street
Hamilton, ML3 0AA

Access to Information

5 October 2011

Dear Councillor

Estates Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday 11 October 2011
Time: 2:00pm
Venue: Committee Room 1, Council Offices, Almada Street, Hamilton

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Archibald Strang
Chief Executive

Members

David Baillie, Walter Brogan, Jackie Burns, Graeme Campbell, Gordon Clark, Jim Docherty, Douglas Edwards, Lynn Filshie, Beith Forrest, Ian Gray, Jim Handibode, Bill Holman, Eileen Logan, Edward McAvoy, Alex McInnes, Denis McKenna, John McNamee, Alice Marie Mitchell, Graham Simpson, Mary Smith, George Sutherland, Chris Thompson, Jim Wardhaugh, Sheena Wardhaugh

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

Minutes of meeting of the Estates Committee held on 12 July 2011 submitted for approval as a correct record. (Copy attached) Page(s) 1 to 4

Item(s) for Decision

3 Acquisition of 72 Cathcart Road, Rutherglen

Report dated 21 September 2011 by the Executive Director (Enterprise Resources). (Copy attached) Page(s) 5 to 8

Item(s) for Noting

4 Disposal of 78 Union Street, Hamilton

Report dated 21 September 2011 by the Executive Director (Enterprise Resources). (Copy attached) Page(s) 9 to End

Urgent Business

5 Urgent Business

Any other items of business which the Chair decides are urgent.

*For further information, please contact:-
Joyce McDonald on 01698 454521
joyce.mcdonald@southlanarkshire.gov.uk*

ESTATES COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 12 July 2011

Chair:

Councillor Jim Docherty

Councillors Present:

David Baillie, Walter Brogan, Jackie Burns (Depute), Douglas Edwards, Lynn Filshie, Ian Gray, Bill Holman, Alex McInnes, Denis McKenna, Alice Marie Mitchell, George Sutherland, Chris Thompson, Jim Wardhaugh, Sheena Wardhaugh

Councillors' Apologies:

Graeme Campbell, Gordon Clark, Beith Forrest, Jim Handibode, Eileen Logan, Edward McAvoy, John McNamee, Graham Simpson, Mary Smith

Attending:

Corporate Resources

J McDonald, Administration Adviser

Enterprise Resources

J Forbes, Business Support and Property Information Manager; S Keating, Property Development Manager; J McCaffer, Head of Regeneration

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Estates Committee held on 17 May 2011 were submitted for approval as a correct record.

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

3 Sale of Land at Highstonehall Road, Hamilton

A report dated 23 June 2011 by the Executive Director (Enterprise Resources) was submitted on the sale of land extending to 63 acres at Highstonehall Road, Hamilton to Bett Homes Limited for the development of residential housing.

It was proposed that the land at Highstonehall Road, Hamilton be sold to Bett Homes Limited, in the sum of £125,000, subject to the terms and conditions detailed in the report and on the basis of the following:-

- ◆ Phase 1: 96% of open market value
- ◆ Phase 2: 97.5% of market value
- ◆ Phases 3 to 7: 100% of market value

The Committee decided:

- (1) that the land extending to 63 acres at Highstonehall Road, Hamilton be sold to Bett Homes Limited, in the sum of £125,000, subject to the terms and conditions detailed in the report; and
- (2) that the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, be authorised to conclude negotiations and the necessary legal agreements on terms which were in the best interests of the Council.

[Reference: Minutes of Executive Committee of 21 March 2007 (Paragraph 10)]

4 Sale of Land to Muse Developments at Cherryhill, Larkhall

A report dated 21 June 2011 by the Executive Director (Enterprise Resources) was submitted on proposed variations to the existing contract with Muse Developments for the sale of land at Cherryhill, Larkhall.

In view of the requirement to progress this matter as soon as possible to allow compliance with contractual obligations relating to the completion of Larkhall Academy 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 granting of a licence of the areas of land in the Cherryhill area of Larkhall at Church Street, Broomhill Road and Broomhill Drive to Muse Developments to carry out roads improvements associated with their development proposals adjacent to Larkhall Academy, subject to the terms and conditions detailed in the report
- ◆ approved the variations to the existing contract with Muse Developments for the sale of land at Cherryhill, Larkhall as detailed in the report
- ◆ authorised the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, to conclude negotiations and the necessary legal agreements on terms which were in the best interests of the Council

The Committee decided:

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 the licence to carry out roads improvements in the Cherryhill area of Larkhall at Church Street, Broomhill Road and Broomhill Drive to Muse Developments, in relation to their development proposals adjacent to Larkhall Academy, subject to the terms and conditions detailed in the report
- ◆ approval of the proposed variations to the existing contract with Muse Developments as detailed in the report
- ◆ authorisation of the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, to conclude negotiations and the necessary legal agreements on terms which were in the best interests of the Council

5 Urgent Business

There were no items of urgent business.

Report

3

Report to:	Estates Committee
Date of Meeting:	11 October 2011
Report by:	Executive Director (Enterprise Resources)

Subject:	Acquisition of 72 Cathcart Road, Rutherglen
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ seek authority for the acquisition of the former laundry site and buildings at 72 Cathcart Road, Rutherglen, from Giffen and Bissett Limited.

2. Recommendation(s)

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

- (1) that the site and buildings extending to 3,347 square metres of thereby (0.82 acres) be acquired from Giffen and Bissett Limited for a purchase price of £425,000 exclusive of VAT plus stamp duty land tax of £12,750 and sellers' legal fees of £6,000 plus VAT; and
- (2) that the Executive Director (Enterprise Resources), in consultation with the Head of Legal Services, be authorised to conclude the acquisition of the subjects in the best interests of the Council.

3. Background

- 3.1. The site at 72 Cathcart Road, Rutherglen, extends to 3,347 square metres or thereby (0.82 acres) and accommodates substantial industrial buildings that are approximately 100 years old. The buildings accommodated a long established laundry business, Cathkin Clean Ltd, which relocated in 2007 to alternative premises in East Kilbride and since this time the premises have lain vacant and derelict.
- 3.2. The site lies close to the boundary of the Clyde Gateway URC area. The URC has previously looked at the location as a possible site for business relocations from Shawfield and other areas affected by current urban regeneration and development activity. Unfortunately the URC has been unsuccessful in acquiring these premises. The site is also immediately adjacent to an established industrial area, much of which is owned by SLC and has been extensively redeveloped over the past 5 years with the construction of new industrial units and yardage.
- 3.3. The Council has, therefore, been involved in voluntary acquisition discussions with Giffen & Bissett Limited. It is proposed that following acquisition the buildings will be demolished and cleared and the site will be remediated for further industrial development aimed at promoting economic activity and job creation in line with the aims and objectives of Clyde Gateway URC and the Council.

4. Acquisition, terms and conditions

4.1. It is proposed that the land and buildings at 72 Cathcart Road, Rutherglen, extending to 3,347 square metres or thereby (0.82 acres) as shown on the accompanying location plan be acquired from Giffen and Bissett Limited on the following principal terms and conditions:

- The purchase price will be £425,000 exclusive of VAT
- The Council will also be responsible for Stamp Duty Land Tax liability of £12,750
- The date of entry to be agreed but no later than 31 March 2012
- The Council will meet the sellers' legal fees of approximately £6,000 plus VAT

5. Employee Implications

5.1. There are no employee implications

6. Financial Implications

6.1. The total acquisition costs of £443,750 will be met from the 2011/2012 General Fund Capital Programme.

7. Other Implications

7.1. The risk of not proceeding with this proposal is that there would be a negative impact on the supply of marketable industrial land in this area which would have a detrimental effect on the long term regeneration of the surrounding area, particularly in light of the major redevelopment work scheduled to take place at Shawfield and Farmecross, Rutherglen.

7.2. As with all projects there are risks associated with potential delays in acquiring the property. This risk will be managed by Enterprise Resources.

7.3. Any subsequent future development for industrial space will be subject to planning and all other statutory consents in accordance with the Council's Sustainable Development Strategy.

7.4. There are no significant issues in terms of sustainability arising from the recommendations in this report.

8. Equality Impact Assessment and Consultation Arrangements

8.1 All necessary consultations have been undertaken with Council Resources and the URC.

8.2 This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore, no impact assessment is required.

Colin McDowall
Executive Director (Enterprise Resources)

21 September 2011

Link(s) to Council Objectives/Improvement Themes/Values

- Support the local economy by providing the right conditions for growth, improving skills and employability.
- Partnership working, community leadership and engagement.

Previous References

- None

List of Background Papers

- None

Contact for further information

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

Bill Barr

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Ken Meek, Project Manager

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LOCATION PLAN - For Committee purposes only

Acquisition of 72 Cathcart Road Rutherglen



REGENERATION SERVICES



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DATE: 21/09/2011

Report

4

Report to:	Estates Committee
Date of Meeting:	11 October 2011
Report by:	Executive Director (Enterprise Resources)

Subject:	Disposal of 78 Union Street, Hamilton
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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 a requirement for early entry by the proposed purchasers, by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex-officio member, to accept the offer to purchase 78 Union Street, 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 :-
- (2) that the Executive Director (Enterprise Resources) be authorised in conjunction with the Head of Legal Services to sell 78 Union Street, Hamilton, to Mr Ajmal and Mrs Nisreen Mushtaq for residential use for a sum of £355,000.

3. Background

3.1. The former children's home at 78 Union Street, Hamilton, was declared surplus by the Executive Committee at its meeting on 23 February, 2011, following closure of the home by Social Work Resources.

3.2. The property consists of a substantial ten apartment stone villa together with ancillary outbuildings on a site of 0.13 hectares (0.33 acres) as shown on the attached plan. A rear car park which is independently accessed from Montrose Lane and has also been declared surplus will be excluded from the proposed sale.

4. Marketing

4.1. The site was marketed with a planning brief which considered a varied mix of both residential and commercial uses for the premises. Adverts were placed in the local press from 7 July, 2011. In addition a detailed marketing brochure was placed on the Council's web site and paper copies made available for interested parties without access to the internet.

4.2. At the closing date of 12 August, 2011, two offers were received and assessed. The highest offer received which complies with the planning brief and is therefore capable of acceptance, was for the sum of £399,000 subject to survey. The purchasers, Mr Ajmal and Mrs Nisreen Mushtaq, propose to utilise the property as a residential home for their family. The proposed purchasers have now undertaken a survey of the property which concludes that the market value is £350,000. They have now requested that a revised offer of £355,000 be considered as they would be unable to receive funding at the original figure. This is considerably in excess of the other bid and in view of the poor state of the residential property market, and the availability of funding, it is recommended for acceptance.

4.3. As the property is currently vacant, there is an ongoing security risk and maintenance liability which was mitigated by obtaining approval to conclude the sale as quickly as possible.

5. Proposal

5.1. It is proposed to dispose of the property at 78 Union Street, Hamilton, extending to 0.13 hectares (0.33 acres) or thereby as shown on the attached indicative plan to Mr Ajmal and Mrs Nisreen Mushtaq for the sum of £355,000 to be used as a residential family home.

6. Employee Implications

6.1. There are no employee implications.

7. Financial Implications

Disposal of the site will generate a receipt of £355,000 (three hundred and fifty five thousand pounds) for the Council's non-housing programme in year 2011/2012.

8. Other Implications

8.1. There are 2 specific risks associated with this report the first being that if the proposal did not proceed the capital receipt would not be available for the Council's capital programme. In addition the condition of the property, if left vacant indefinitely, would deteriorate resulting in increased maintenance liabilities.

8.2. There are no significant issues in terms of sustainability arising from this report.

9. Equality Impact Assessment and Consultation Arrangements

9.1. All necessary consultations with Planning, Roads and Legal Services have taken place and the proposed use is compliant with the planning brief.

9.2. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.

Colin McDowall
Executive Director (Enterprise Resources)

21 September 2011

Link(s) to Council Objectives/Improvement Themes/Values

- Improve the quality, access and availability of housing.
- Accountable, effective and efficient.
- Efficient and effective use of resources

Previous References

- Executive Committee Report 23 February 2011

List of Background Papers

- None

Contact:-

If you would like further information, please contact:-

Bill Barr, Surveyor

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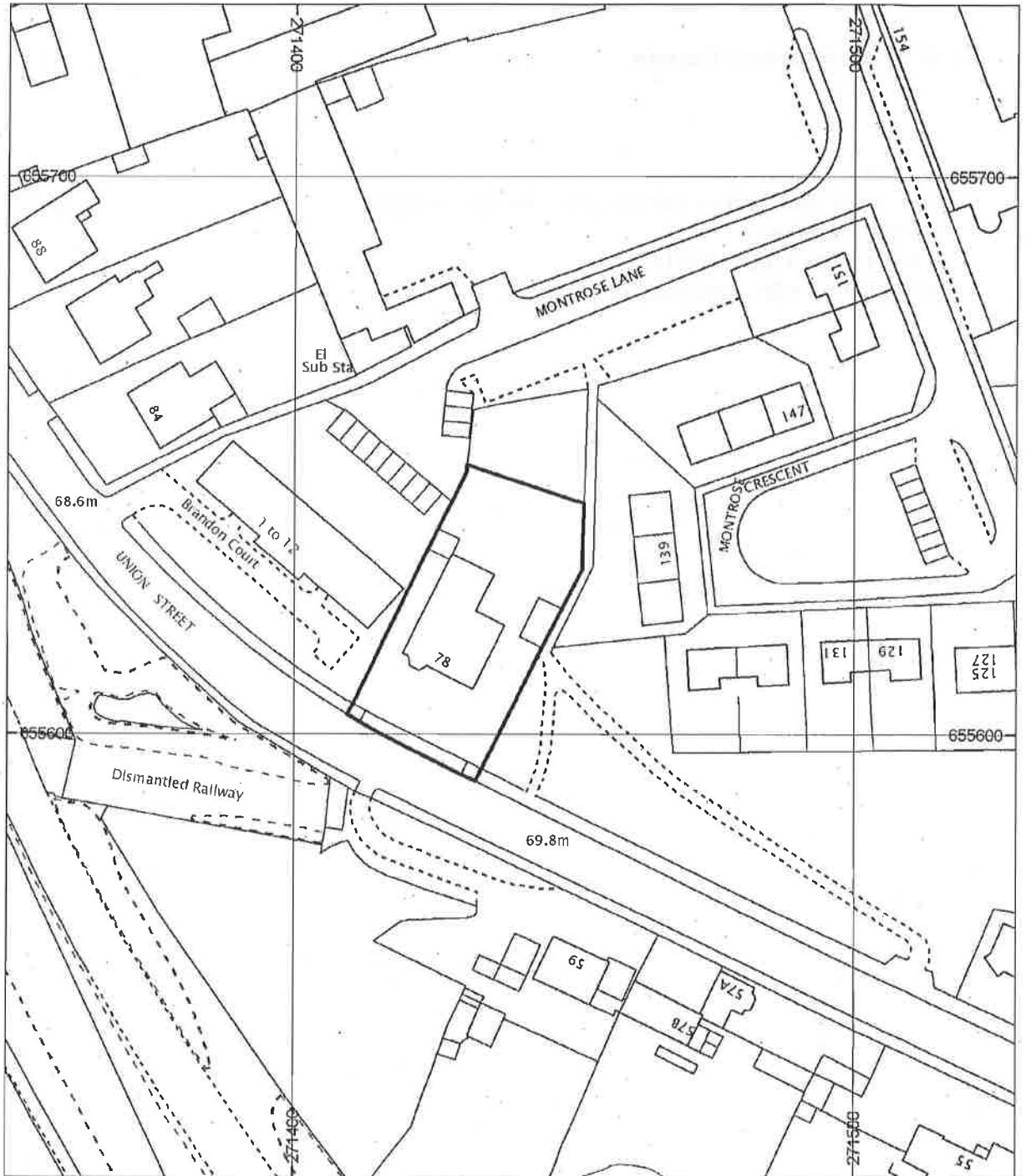
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LOCATION PLAN - For Committee Purposes Only

78 Union Street
Hamilton



REGENERATION SERVICES



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DATE: 22/08/2011