

ESTATES COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 17 May 2011

Chair:

Councillor Jim Docherty

Councillors Present:

David Baillie, Graeme Campbell, Douglas Edwards, Bill Holman, Eileen Logan, Alex McInnes, Denis McKenna, John McNamee, Alice Marie Mitchell, Mary Smith, George Sutherland, Jim Wardhaugh, Sheena Wardhaugh

Councillors' Apologies:

Walter Brogan, Jackie Burns, Gordon Clark, Lynn Filshie, Beith Forrest, Ian Gray, Jim Handibode, Edward McAvoy, Graham Simpson, Chris Thompson

Attending:**Corporate Resources**

M Armstrong, Administration Officer; 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

The following interests were declared:-

<i>Councillor(s)</i>	<i>Item(s)</i>	<i>Nature of Interest(s)</i>
Logan	Lease of Business Centre Premises at Unit 10, Carluke Business Centre, 31-35 Hamilton Street, Carluke	Director of Carluke Development Trust
Campbell	Sub-lease to Memex Technology Limited, Redwood Court, Peel Park, East Kilbride	Business competitor

2 Minutes of Previous Meeting

The minutes of the meeting of the Estates Committee held on 1 March 2011 were submitted for approval as a correct record.

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

3 Lease of Ground at Argyle Crescent, Hamilton with Associated Servitude Right of Access in Favour of Energetics Electricity Limited

A report dated 28 April 2011 by the Executive Director (Enterprise Resources) was submitted on the:-

- ◆ lease of ground at Argyle Crescent, Hamilton to Energetics Electricity Limited for the construction of a substation and the laying of cables

- ◆ grant of a servitude right of access to allow the inspection and maintenance of the cables servicing the substation

The proposed period of the lease was 60 years at a rent of £1 per annum, subject to the terms and conditions detailed in the report.

The Committee decided:

- (1) that Energetics Electricity Limited be granted a 60 year lease of ground at Argyle Crescent, Hamilton for the construction of a substation and a servitude right of access at a rent of £1 per annum, 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.

4 Lease of Ground at Caird Street, Hamilton with Associated Servitude of Right of Access in Favour of SP Energy Networks

A report dated 12 April 2011 by the Executive Director (Enterprise Resources) was submitted on the:-

- ◆ lease of ground at Caird Street, Hamilton to SP Energy Networks for the construction of a substation and the laying of cables
- ◆ grant of a servitude right of access to allow the inspection and maintenance of the cables servicing the substation

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 60 year lease of ground at Caird Street, Hamilton to SP Energy Networks to construct a substation and the laying of cables and granted a servitude right of access to allow the inspection and maintenance of the cables servicing the substation, at a rent of £1 per annum, subject to the terms and conditions 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 60 year lease of ground at Caird Street, Hamilton to SP Energy Networks to construct a substation and the laying of cables and the grant of a servitude right of access, at a rent of £1 per annum, subject to the terms and conditions 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 Lease of Business Centre Premises at Unit 10, Carluke Business Centre, 31-35 Hamilton Street, Carluke

A report dated 7 March 2011 by the Executive Director (Enterprise Resources) was submitted on the concessionary lease of the premises at Unit 10, Carluke Business Centre, 31-35 Hamilton Street, Carluke to Carluke Development Trust for use as offices and administration space.

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 granting of a concessionary lease to Carluke Development Trust for the premises at Unit 10, Carluke Business Centre, 31-35 Hamilton Street, Carluke for use as offices and administration space at a rent of £1 per month, subject to the terms and conditions 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 concessionary lease of the premises at Unit 10, Carluke Business Centre, 31-35 Hamilton Street, Carluke to Carluke Development Trust for use as offices and administration space, at a rent of £1 per month, subject to the terms and conditions 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

Councillor Logan, having declared an interest in this item of business, withdrew from the meeting during its consideration

6 Sub-Lease to Memex Technology Limited, Redwood Court, Peel Park, East Kilbride

A report dated 21 March 2011 by the Executive Director (Enterprise Resources) was submitted on the sub-lease of premises at 2 Redwood Court, Peel Park, East Kilbride to Memex Technology Limited for office accommodation.

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 sub-lease of premises at 2 Redwood Court, Peel Park, East Kilbride to Memex Technology Limited for office accommodation, at a rent of £74,750 per annum, subject to the terms and conditions 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 sub-lease of premises at 2 Redwood Court, Peel Park, East Kilbride to Memex Technology Limited for office accommodation, at a rent of £74,750 per annum, subject to the terms and conditions 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

[Reference: Minutes of 4 May 2010 (Paragraph 4)]

Councillor Campbell, having declared an interest in this item of business, withdrew from the meeting during its consideration

7 Peacock Cross Link Road and Park and Ride - Interim Payment of Compensation to Robert Reid Junior, 12 Wellhall Road, Peacock Cross, Hamilton

A report dated 11 April 2011 by the Executive Director (Enterprise Resources) was submitted on a change required to the party to whom the interim payment of compensation in respect of the purchase of 12 Wellhall Road, Peacock Cross, Hamilton was to be made.

In terms of Standing Order No 17, the Chair had ruled that there was sufficient basis to allow further consideration of the matter and, 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:-

- ◆ agreed that the interim payment of compensation of £90,000 awarded to Robert Reid and Sons be amended to Robert Reid Junior in respect of the purchase of 12 Wellhall Road, Peacock Cross, Hamilton, subject to the terms and conditions 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 interim payment of compensation of £90,000 to Robert Reid Junior in respect of the purchase of 12 Wellhall Road, Peacock Cross, Hamilton, subject to the terms and conditions 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

[Reference: Minutes of 7 December 2010 (Paragraph 10)]

8 Disposal of Land at Fernhill Road/Neilvaig Road, Fernhill, Rutherglen

A report dated 27 April 2011 by the Executive Director (Enterprise Resources) was submitted on the sale of land extending to 6.47 acres at Fernhill Road/Neilvaig Road, Fernhill to the West of Scotland Housing Association Limited.

Following site investigations undertaken by the purchaser, adverse ground conditions had been discovered. As a result, the purchaser had requested a reduction of £222,590 in the original purchase price.

In terms of Standing Order No 17, the Chair had ruled that there was sufficient basis to allow further consideration of the matter and, 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 a reduction of £222,590 in the purchase price of land at Fernhill Road/Neilvaig Road, Fernhill from £1,296,612 to £1,074,022, subject to the terms and conditions 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 a reduction of £222,590 in the purchase price of land at Fernhill Road/Neilvaig Road, Fernhill from £1,296,612 to £1,074,022 for the West of Scotland Housing Association Limited, subject to the terms and conditions 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

[Reference: Minutes of 1 March 2011 (Paragraph 4)]

9 Delegated Powers Report - Update

A report dated 13 April 2011 by the Executive Director (Enterprise Resources) was submitted on:-

- ◆ the level of transactions processed by Regeneration Services under delegated authority for the periods 1 October to 31 December 2010 and 1 January to 31 March 2011
- ◆ a summary of the full year position for 2010/2011

Regeneration 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 20 years and capital transactions up to a value of £200,000.

Details of the transactions undertaken in the periods from 1 October to 31 December 2010 and 1 January to 31 March 2011 were as follows:-

	1/10/2010 to 31/12/2010	1/1/2011 to 31/3/2011
Number of transactions	73	54
Total value of lease transactions	£228,088	£189,162
Total value of capital transactions	£1,032,780	£521,199

The Committee decided: that the level of transactions processed by Regeneration Services under delegated authority for the periods 1 October to 31 December 2010 and 1 January to 31 March 2011, together with the annual summary for 2010/2011, be noted.

[Reference: Minutes of 1 March 2011 (Paragraph 7)]

10 Urgent Business

There were no items of urgent business.