

NORTH LANARKSHIRE COUNCIL

REPORT

<p>To: POLICY AND RESOURCES (REGENERATION AND INFRASTRUCTURE) SUB-COMMITTEE</p>	<p>Subject: MAIN STREET, WISHAW TITLE RECTIFICATION WISHAW GOLF CLUB</p>
<p>From: HEAD OF REGENERATION & INFRASTRUCTURE SERVICES</p>	
<p>Date: 16 May 2013</p>	
<p>Ref: ()/WP X8895311 W18</p>	

1. INTRODUCTION

1.1 This report concerns a requirement for a title rectification on Main Street, Wishaw involving Wishaw Golf Club and the Council.

2. BACKGROUND

2.1 Motherwell District Council sold land along Main Street, Wishaw to Wishaw Golf Club in 1990. The sale enabled the Club to develop additional car parking and a greenkeeper's store.

2.2 It recently came to light that the land certificate title prepared by the Keeper following on from the foregoing land sale contains anomalies that affect both the Golf Club and the Council. The land certificate plan indicates that the Golf Club title extends into the car park associated with Wishawhill Community Centre, while the greenkeeper's store is partly erected on land retained by the Council.

2.3 The attached plan highlights the 2 areas of land that require to be exchanged in order to rectify the present title anomalies. Area A would transfer to Wishaw Golf Club and Area B would transfer to the Council.

3. TITLE RECTIFICATION

3.1 Following discussions with Wishaw Golf Club, it has been provisionally agreed that the anomaly requires rectification, possibly involving an appropriate land swap i.e. excambion to regularise the position.

3.2 Subject to further investigation, the Keeper may be willing to rectify the title under statutory provision but this cannot be guaranteed. If the foregoing suggestion is considered inappropriate, the alternative approach would necessitate a conveyance of land by the Council to the Golf Club and vice versa.

3.3 It is proposed that there would be no monetary payment involved with this title rectification.

4. CORPORATE CONSIDERATIONS

- 4.1 The present land certificate title in favour of Wishaw Golf Club contains anomalies that should be addressed in order to regulate land ownership for the benefit of both parties.

5. RECOMMENDATIONS

- 5.1 It is recommended that Committee approve an excambion of land between Wishaw Golf Club and the Council, if such a measure proves necessary, in order to rectify land ownership around Wishawhill Community Centre.
- 5.2 All other terms and conditions to be adjusted by the Head of Regeneration & Infrastructure Services.



ERIC HISLOP
Head of Regeneration & Infrastructure Services

Members seeking further information on the contents of this report are asked to contact Mary Anne Robb, Section Manager, on 01236 632667.

LOCATION PLAN - For Information Only

Title: Wishaw Golf Club

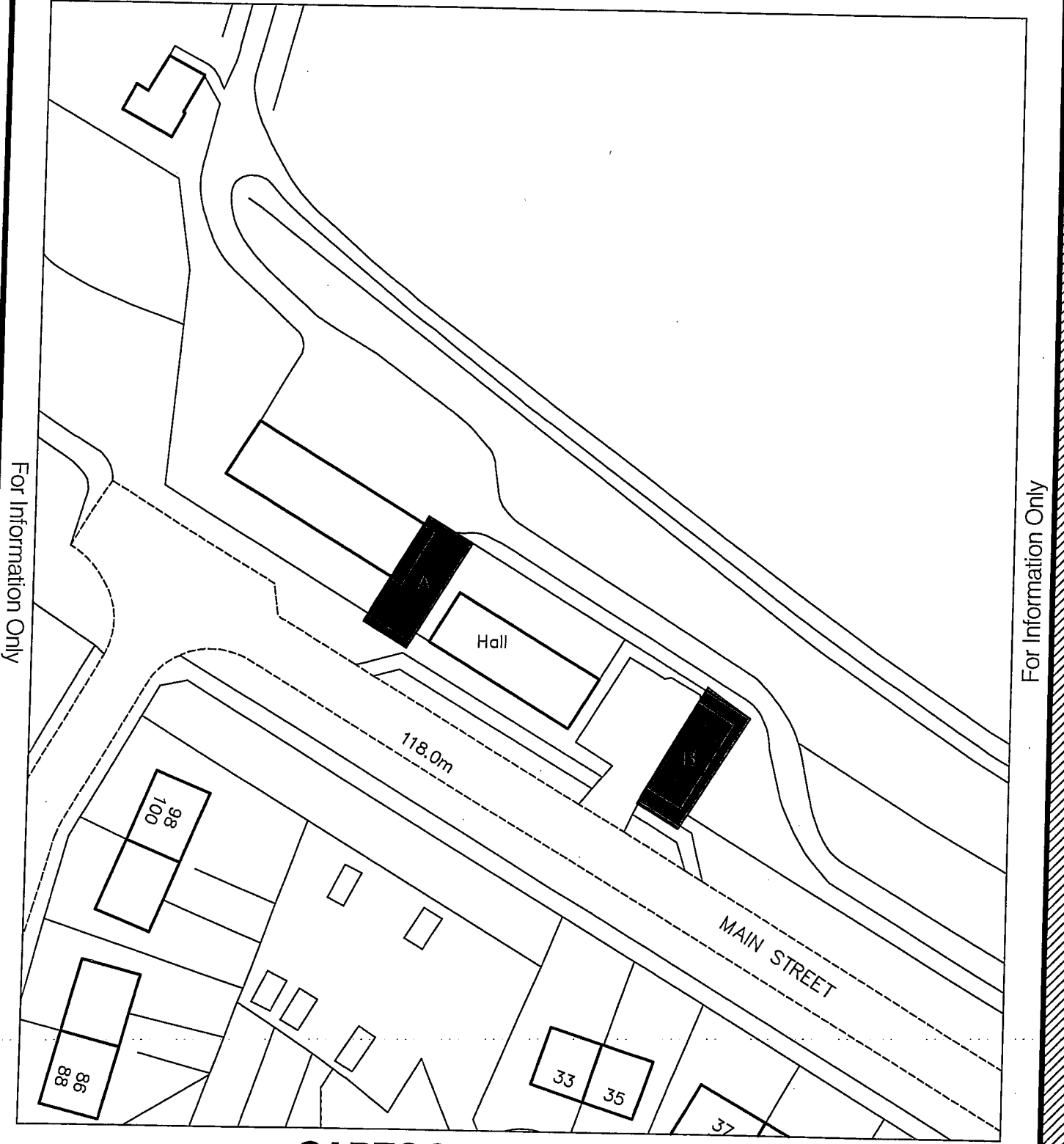
Scale 1:NA



Town: Wishaw

Date: 09/04/2013

ENVIRONMENTAL SERVICES



CARTOGRAPHIC SERVICES

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