

NORTH LANARKSHIRE COUNCIL
REPORT

To: POLICY AND RESOURCES (REGENERATION AND INFRASTRUCTURE) SUB-COMMITTEE		Subject: CLIFFORD PLACE: 75 MAIN STREET, CUMBERNAULD VILLAGE SALE OF GROUND AND OUTBUILDINGS TO RECTIFY TITLE ANOMALIES
From: HEAD OF LAND SERVICES		
Date: 5 September 2013	Ref: ()/WP 90007956 W4	

1. INTRODUCTION

- 1.1 This report concerns the proposed sale of ground and outbuildings adjoining Clifford Place, 75 Main Street, Cumbernauld to rectify title anomalies.

2. BACKGROUND

- 2.1 Clifford Place is a detached cottage located to the rear of 73-75 Main Street. There is no vehicular access to the property, only a pedestrian access via a pend close on Main Street.
- 2.2 Mr & Mrs Findlay purchased the property from the Executors of Mrs Mary Hamilton in 2004. The land certificate title issued by the Keeper contains certain exclusions of indemnity i.e. the title isn't fully guaranteed. It is understood that Mr & Mrs Findlay intend to sell their property, therefore there is a desire to attempt to rectify the title anomalies.
- 2.3 The Council was originally approached about the title in 2004 by the solicitors dealing with the sale of Clifford Place on behalf of the Executors of Mrs Mary Hamilton. While sale proposals were discussed, nothing was ever agreed because the sale of the property went ahead even though title issues remained unresolved.

3. DESCRIPTION

- 3.1 The title position is complex, involving a mix of older sasine registered titles and more recent land certificates. The title anomalies relate to garden ground around Clifford Place as well as attached outbuildings, including an old wash-house.
- 3.2 The key to resolving the title anomalies is historic acquisitions by Cumbernauld Development Corporation in 1960s, including land acquired from previous owners of Clifford Place.
- 3.3 The attached plan illustrates Clifford Place and, the objective of the title rectification would involve the sale of any interest retained by the Council in the residential property, notably in relation to those areas shaded on the plan.

4. SALE PROPOSAL

- 4.1 Following negotiations with McCusker, Cochrane & Gunn, solicitors representing Mr & Mrs Findlay, a figure of £4,000 has been provisionally agreed for the land and outbuildings detailed above and, required to correct title anomalies.

5. CORPORATE CONSIDERATIONS

- 5.1 The disposal complies with Section 3.3 (Direct Sales) of the Land and Property Sales policy report, approved on 18 November 2010 by the Policy & Resources (Property) Sub-committee.
- 5.2 The proposed sale will generate a small capital receipt.

6. RECOMMENDATIONS

- 5.1 It is recommended that Committee approve the proposed sale of land and outbuildings adjacent to Clifford Place, 75 Main Street, Cumbernauld Village to Mr & Mrs Keith Findlay or their nominees based on the terms detailed within this report.
- 5.2 All other terms and conditions to be adjusted by the Head of Land Services.

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KENNETH WILSON
Head of Land 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: 75 Main Street

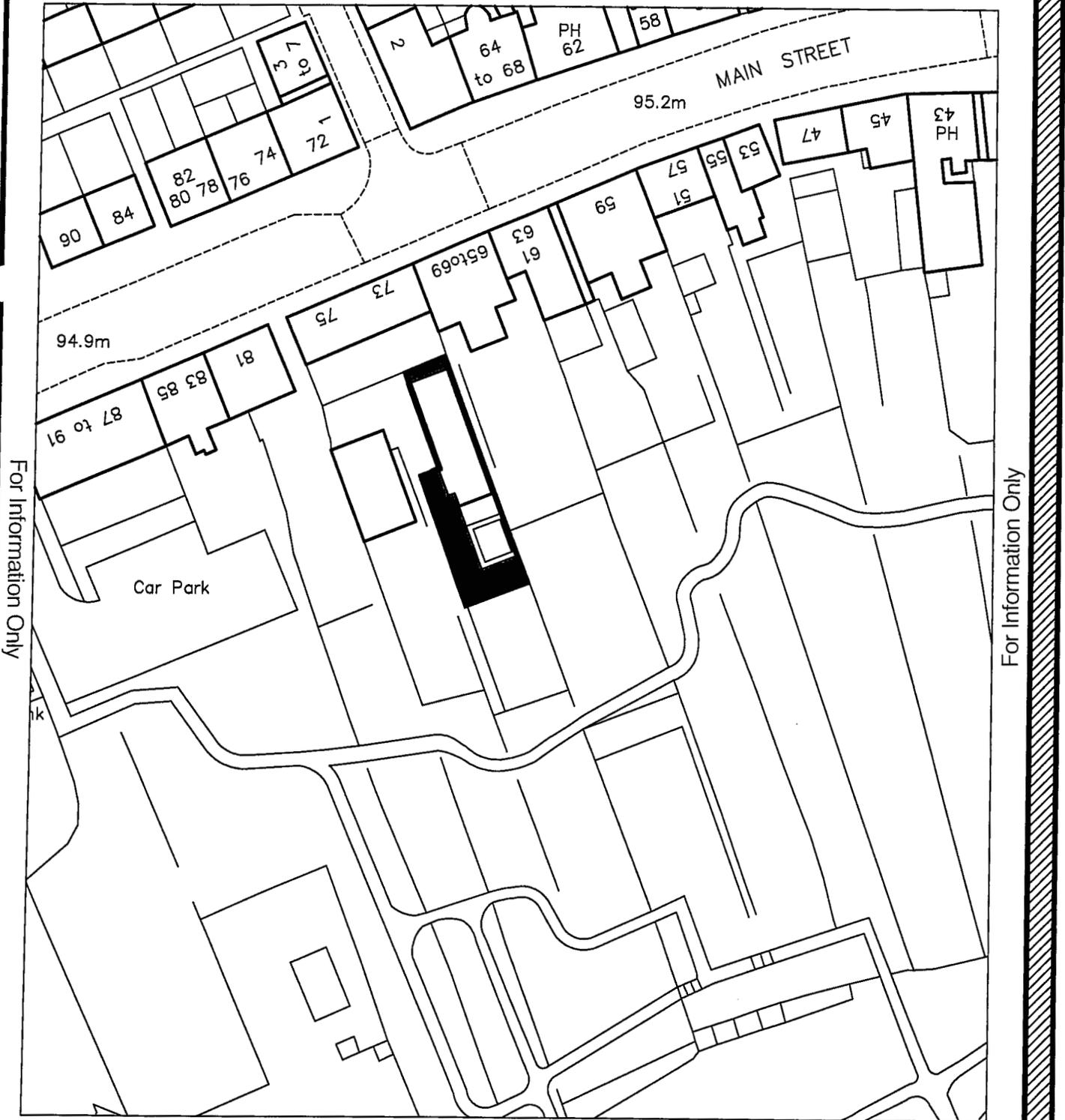
Scale 1:NTS



Town: Cumbernauld

Date: 19/04/13

ENVIRONMENTAL SERVICES



CARTOGRAPHIC SERVICES

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