

TO:	PLANNING & DEVELOPMENT (BUILDINGS AND PROPERTY) SUBCOMMITTEE	SUBJECT:
FROM:	DIRECTOR OF PLANNING & DEVELOPMENT	GRANTING OF MINUTE OF WAIVER FOR CHANGE OF USE AND RIGHT OF ACCESS TO PREMISES SITUATED ON AIRBLES ROAD, MOTHERWELL
DATE:	11 AUGUST 1998	REF: MW/2/MJC/HM

1. PURPOSE OF REPORT

To seek Committee consent to granting of a Minute of Waiver consenting to a change of use and alteration to a restriction on access in respect of a dwellinghouse and adjoining former monumental sculptor's yard at Airbles Road, Motherwell.

2. BACKGROUND

In 1985 the former Motherwell District Council entered into a Contract of Excambion with Mr James Kirkland whereby an area of land was disposed to Mr Kirkland for the erection of a single dwellinghouse and use as an adjoining monumental sculptor's yard. The land in question is adjacent to the Council owned Cemetery at Airbles Road. Shortly thereafter Motherwell District Council granted a right of access over a road verge leading to the subjects with the right to gain access to one residential property and one monumental sculptor's yard. A single house was duly erected on the southern part of the site.

The land and dwellinghouse were subsequently sold and the adjoining yard is no longer occupied as a monumental sculptor's yard.

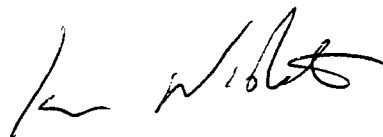
At the time of the original excambion the District Council received an area of land which was utilised to form part of a road verge permitting access to a site being sold by the District Council for the construction of over 100 houses.

3. NEGOTIATIONS

After negotiations a provisional agreement has been reached to payment by the applicant of £10,000 reflecting the increase in value after (i) a change of use is granted permitting the erection of one further dwellinghouse on the site of the former monumental sculptures yard, and (ii) altering the access agreement from access to one dwellinghouse and one monumental sculptor's yard to access to two dwellinghouses. Each party will bear their own expenses in connection with this transaction.

4. RECOMMENDATION

That Committee approve the granting of Minutes of Waiver allowing the change of use and altering the conditions of the right of access to the above stated property for the consideration stated above. All other terms and conditions to be adjusted by the Head of Economic Development & Property.



STANLEY COOK
 Director of Planning & Development

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LOCATION PLAN - For Information Only

Title : Airbles Road

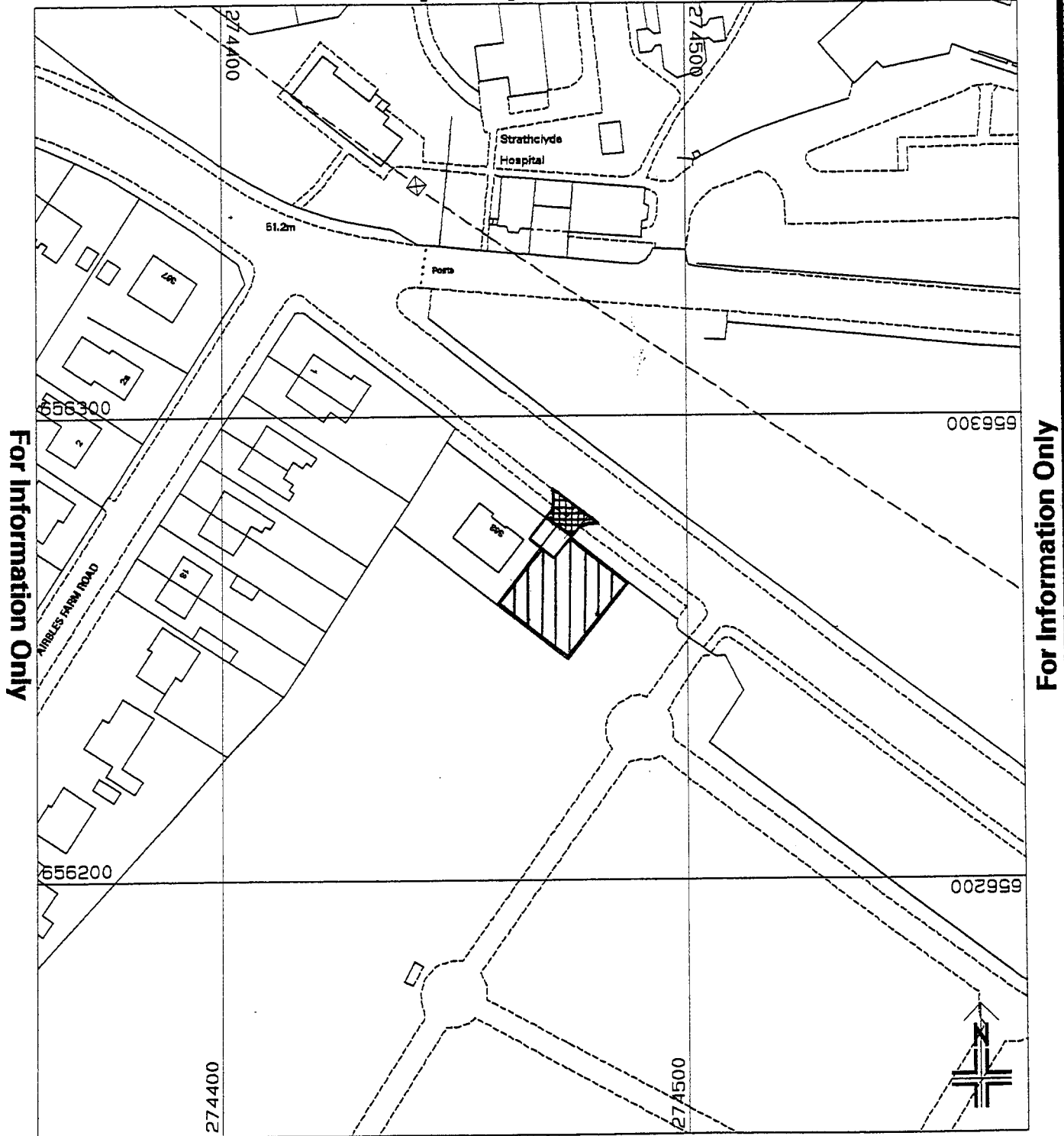
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Town: Motherwell

Date : 09 Jul 98



Property Division



DEPARTMENT OF PLANNING & DEVELOPMENT

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