

<b>TO:</b>	PLANNING & DEVELOPMENT (BUILDINGS & PROPERTY) SUB- COMMITTEE	<b>SUBJECT:</b>	
<b>FROM:</b>	DIRECTOR OF PLANNING & DEVELOPMENT	SITE AT CARRADALE STREET, COATBRIDGE	
<b>DATE:</b>	11 AUGUST 1998	<b>REF:</b>	MAR/FF/TP11

### 1. PURPOSE OF REPORT

The purpose of this report is to seek consent to obtain a Minute of Waiver to facilitate the disposal of the above site.

### 2. BACKGROUND

Committee may recall my previous report (dated 19 May 1998), where Committee were advised that the site at 15 Carradale Street, Coatbridge had been identified as part of the Council's capital receipts programme, however due to a number of problems, the site had not yet been advertised. The major problem which prevented the marketing from proceeding was that there were a number of title difficulties to be overcome. The titles provided that the buildings erected on the site had to be used as an Auction Market. There was also a further stipulation that any further buildings to be erected on the site were to be built as an extension to the Auction Market, and in addition no buildings were to exceed 2 storeys in height and were to be roofed only with slates.

The proposed future use for the site is residential development, which conflicts with the requirement to use the site as an Auction Market.

It was intended that a Minute of Waiver would be obtained from the superiors, however negotiations with the superiors had been prolonged, and the superiors had asked for an excessive charge in exchange for granting the Minute of Waiver. On 19 May 1998, the Committee authorised the Council to make an application to the Lands Tribunal for variation or discharge of the burdens in respect of the Council's interest in the above site, and also authorised the Director of Planning and Development to continue negotiations in an attempt to reach a negotiated settlement.

### 3. NEGOTIATION

Prior to making a formal application to the Lands Tribunal, one final approach was made to the superiors, and provisional agreement has been reached with the superiors (Drumpellier and Mount Vernon Estates Limited), and a consideration of £150 per unit has been agreed for the grant of the Minute of Waiver sought. In the event that the matter had proceeded to Lands Tribunal, the compensation awarded by the Tribunal and the costs of submitting the application, etc may well have exceeded the costs agreed with the Superiors. In addition, the Council will be responsible for the superiors' legal fees.

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#### 4. RECOMMENDATION

It is recommended that Committee approve the proposal to agree terms for the Minute of Waiver with Drumpellier and Mount Vernon Estates for the sum of £150 per unit to be developed, together with the superiors' reasonable legal fees. All other terms and conditions to be adjusted by the Director of Planning and Development.

  
STANLEY COOK  
Director of Planning & Development

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