

TO:	PLANNING & DEVELOPMENT (BUILDINGS AND PROPERTY) SUBCOMMITTEE	SUBJECT:	
FROM:	DIRECTOR OF PLANNING & DEVELOPMENT	MINUTE OF WAIVER 250 MUIRYHALL STREET, COATBRIDGE	
DATE:	10 NOVEMBER 1998	REF:	MJC/HM

1. PURPOSE OF REPORT

To seek approval to grant a Minute of Waiver at the above address.

2. BACKGROUND

The Council, as successors to Monklands District Council, are the superiors in the title which covers the property at 250 Muirhall Street, Coatbridge.

There is a restriction within the title which prohibits the sale of alcohol.

At the Meeting of the Licensing Board of 31 October 1997 the applicant, Mr Ashwood, was granted an off-sales licence in respect of the subject premises.

3. CURRENT POSITION

The owner of the shop premises at 250 Muirhall Street now wishes to implement the Licence and commence the sale of alcohol and accordingly has requested a Minute of Waiver from the Council in respect of the title restriction.

4. COMMENT

Consultation with the Central Division Planning Manager has established that there are no planning objections to the sale of alcohol from these premises. It is considered that refusal to grant a Minute of Waiver would result in an application to the Lands Tribunal and, as the Council have granted a Licence, it is considered unlikely that the Lands Tribunal would refuse an application for a Minute of Waiver to the title condition. Consequently, it is proposed that the Minute of Waiver is granted and on this basis agreement has been reached that payment will be made by the applicant in the sum of £1,000 with the applicant also responsible for payment of the Council's fees and outlays in connection therewith.

5. RECOMMENDATION

That the Committee approve the granting of a Minute of Waiver allowing alcohol to be sold from 250 Muirhall Street, Coatbridge, on the terms outlined above. All other terms and conditions to be adjusted by the Head of Economic Development & Property.



STANLEY COOK
Director of Planning & Development