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AGENDA ITEM No.

REPORT

TO:	PLANNING & DEVELOPMENT (BUILDINGS AND PROPERTY) SUBCOMMITTEE	SUBJECT: MINUTE OF WAIVER HOLLYWOOD BOWL, NORTH CARBRAIN ROAD, CUMBERNAULD
FROM:	DIRECTOR OF PLANNING & DEVELOPMENT	
DATE:	16 FEBRUARY 1999	

1. PURPOSE OF REPORT

The purpose of this Report is to seek consent to grant a Minute of Waiver to allow the above property to be used for retail use.

2. BACKGROUND

North Lanarkshire Council inherited the feu superiority in respect of a site extending to 1.96 ac at North Carbrain Road, Cumbernauld from Cumbernauld Development Corporation as part of the asset transfer package in 1996.

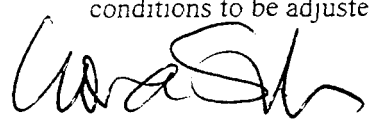
The former Cumbernauld Development Corporation sold the site in 1990 under condition that the subjects be used only as a tenpin bowling centre with ancillary shop premises with bars and restaurants/diners, however the premises were not to be used for any other purpose without the written consent of the Superiors, which consent was not to be unreasonably withheld or delayed. The Agents acting on behalf of the current owners, have written to the Council seeking a Minute of Waiver varying the title restriction to permit the property to be used for Open Class 1 Retail Use. North Lanarkshire Council had granted planning consent in respect of Open Class 1 Retail Use and accordingly in the circumstances it would be unreasonable of the Council as Superiors to refuse to grant Superior's consent in this instance.

3. NEGOTIATIONS

Discussions have taken place with the Agents acting on behalf of the current owners, Cou Properties & Developments Limited, over the fee which the Council would charge in return for granting the Minute of Waiver. The fee is assessed on the difference on value created at the time of the original sale by the widening of the user clause. In this situation, the value of the site for a tenpin bowling alley, had a high value as there was a considerable demand for sites for bowling alleys around 1990. A figure of £10,000 has been provisionally agreed as a charge to be levied by the Council.

4. RECOMMENDATION

It is recommended that Committee consent to grant a Minute of Waiver to allow the subjects extending to 1.96 acres at North Carbrain Road, Cumbernauld, as shown on the attached plan to be used for Open Class 1 Retail Use subject to a payment of £10,000. All other terms and conditions to be adjusted by the Director of Planning & Development.


STANLEY COOK
 Director of Planning & Development

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LOCATION PLAN - For Information Only

Title : HOLLYWOOD BOWL,

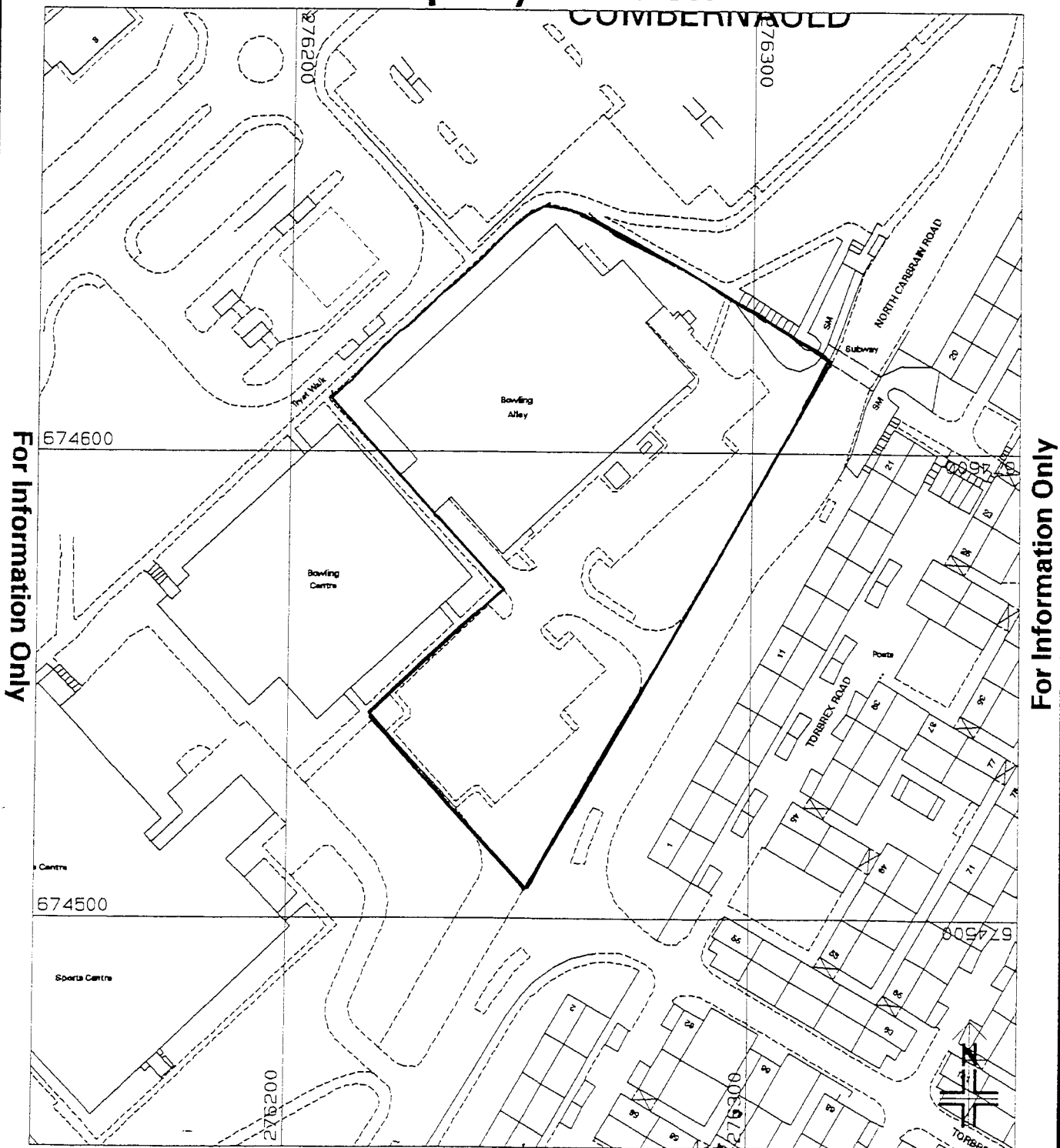
Scale: 1:1250

Town: CUMBERNAULD.

Date : 03 Feb 99



Property Division



DEPARTMENT OF PLANNING & DEVELOPMENT

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North Lanarkshire Council

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