

**NORTH LANARKSHIRE COUNCIL
REPORT**

To: POLICY & RESOURCES (PROPERTY) SUBCOMMITTEE	Subject: NORTH LANARKSHIRE COUNCIL (LAND TO REAR OF 7/45 MAIN STREET / 1/19 RUSSELL STREET, WISHAW) CPO 2007
From: HEAD OF PROPERTY SERVICES	ASPIN ESTATES LIMITED
Date: 26 April 2011	Ref: WP/FF/90014979 W20

1. INTRODUCTION

- 1.1 This report concerns the proposed settlement of a compensation claim arising from the North Lanarkshire Council (Land to rear of 7/45 Main Street & 1/19 Russell Street, Wishaw) Compulsory Purchase Order 2007.

2. BACKGROUND

- 2.1 The Planning & Environment Committee on 18 April 2007 gave authorisation to promote a Compulsory Purchase Order in respect of land to the rear of 7/45 Main Street & 1/19 Russell Street, Wishaw. The land was identified for delivery of the Wishaw Back Court Improvement Initiative which has featured in the Wishaw Town Centre Action Plan since 2005. The Wishaw Town Centre Action Plan was approved by the Economic Regeneration Committee in March 2005.
- 2.2 The land affected by this Compulsory Purchase Order vested in the ownership of the Council on 17th August 2010.

3. DESCRIPTION

- 3.1 The land acquired extends to 0.128 hectare or thereby, as highlighted on plan 1. The land was held in multiple ownerships, with parts used for rear servicing activities and other areas not used in any active way and prone to fly tipping.
- 3.2 The intention of the project is to rationalise and improve rear servicing for the adjoining premises, while introducing new car parking facilities.

4. COMPENSATION CLAIM

- 4.1 Aspin Estates Limited owns retail premises at 45 Main Street & the first floor snooker hall on Russell Street, Wishaw. Both premises are leased out.
- 4.2 The CPO incorporated an area of 78 square metres or thereby associated with the larger block containing 39/45 Main Street & 1/7 Russell Street. This area of land is identified on plan 2.

4.3 Following negotiations with Burness, agents representing Aspin Estates Limited, it has been provisionally agreed that instead of a monetary compensation payment for the interest acquired the Council will grant new servitude rights of access over the service road highlighted on Plan 3. The claimants are also entitled to their fee costs.

5. CORPORATE CONSIDERATIONS

5.1 The compulsory acquisition of land to the rear of Main Street & Russell Street, Wishaw allows Environmental Services to advance their rear servicing project at this location.

5.2 This compensation claim will be funded by Environmental Services from their Town Centre capital budget.

6. RECOMMENDATIONS

6.1 It is recommended that:

a) Aspin Estates Limited, proprietors of 2 commercial premises on Main Street & Russell Street, Wishaw, receive new servitude rights from the Council in lieu of monetary compensation for land acquired from them in consequence of the North Lanarkshire Council (Land to rear of 7/45 Main Street & 1/19 Russell Street, Wishaw) Compulsory Purchase Order 2007.

b) All other terms and conditions to be adjusted by the Head of Property Services.



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IAN NISBET
Head of Property Services

Members seeking further information on the contents of this report are asked to contact Ian Nisbet, Head of Property Services, on 01236 616305.



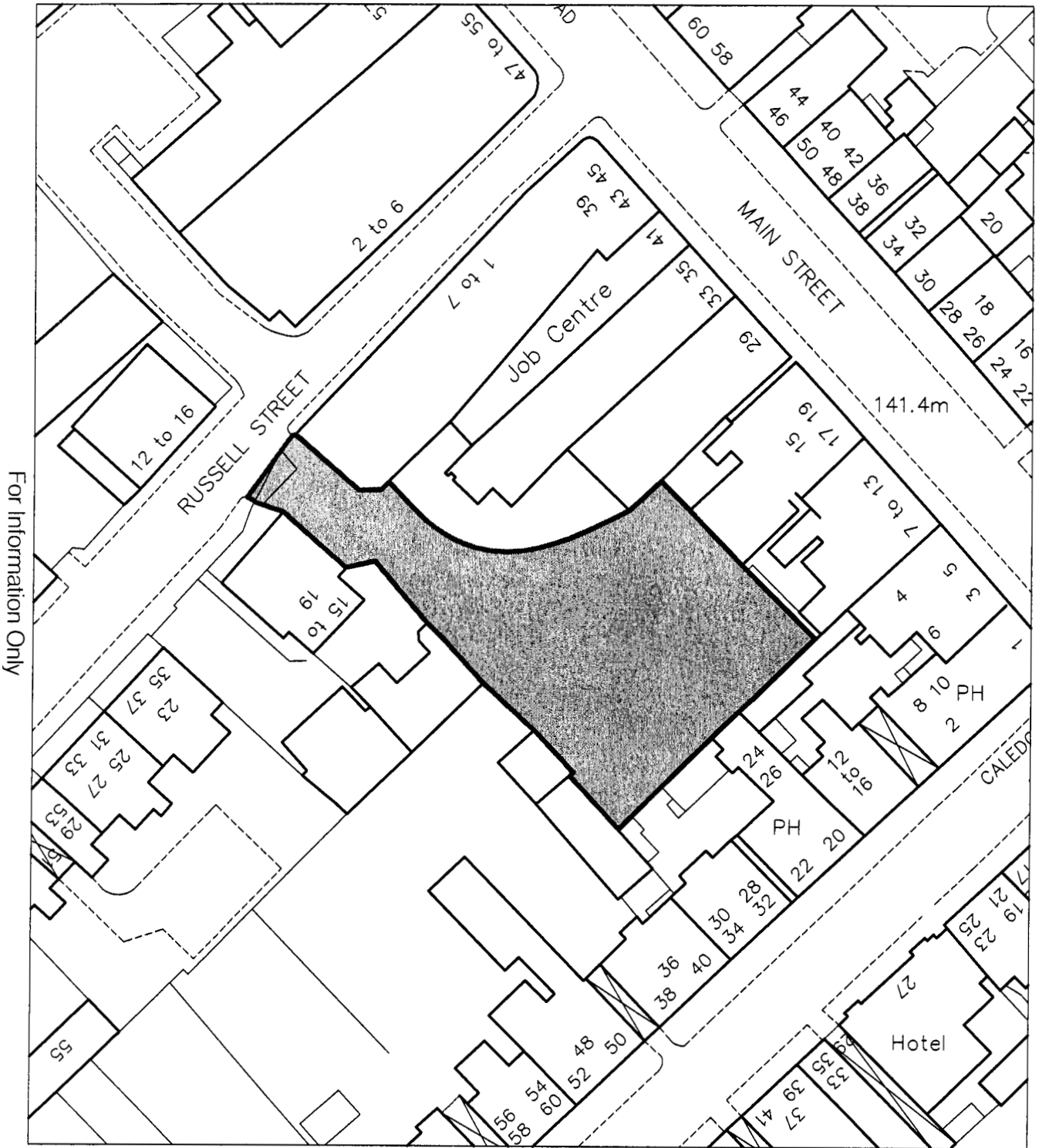
LOCATION PLAN - For Information Only

Title: Plan 1. Main St / Russell St

Scale 1:NTS

Town: Wishaw

Date: 10/01/11



For Information Only

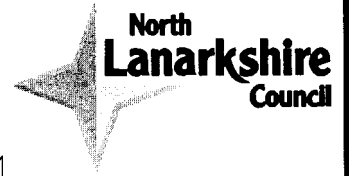
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LOCATION PLAN - For Information Only

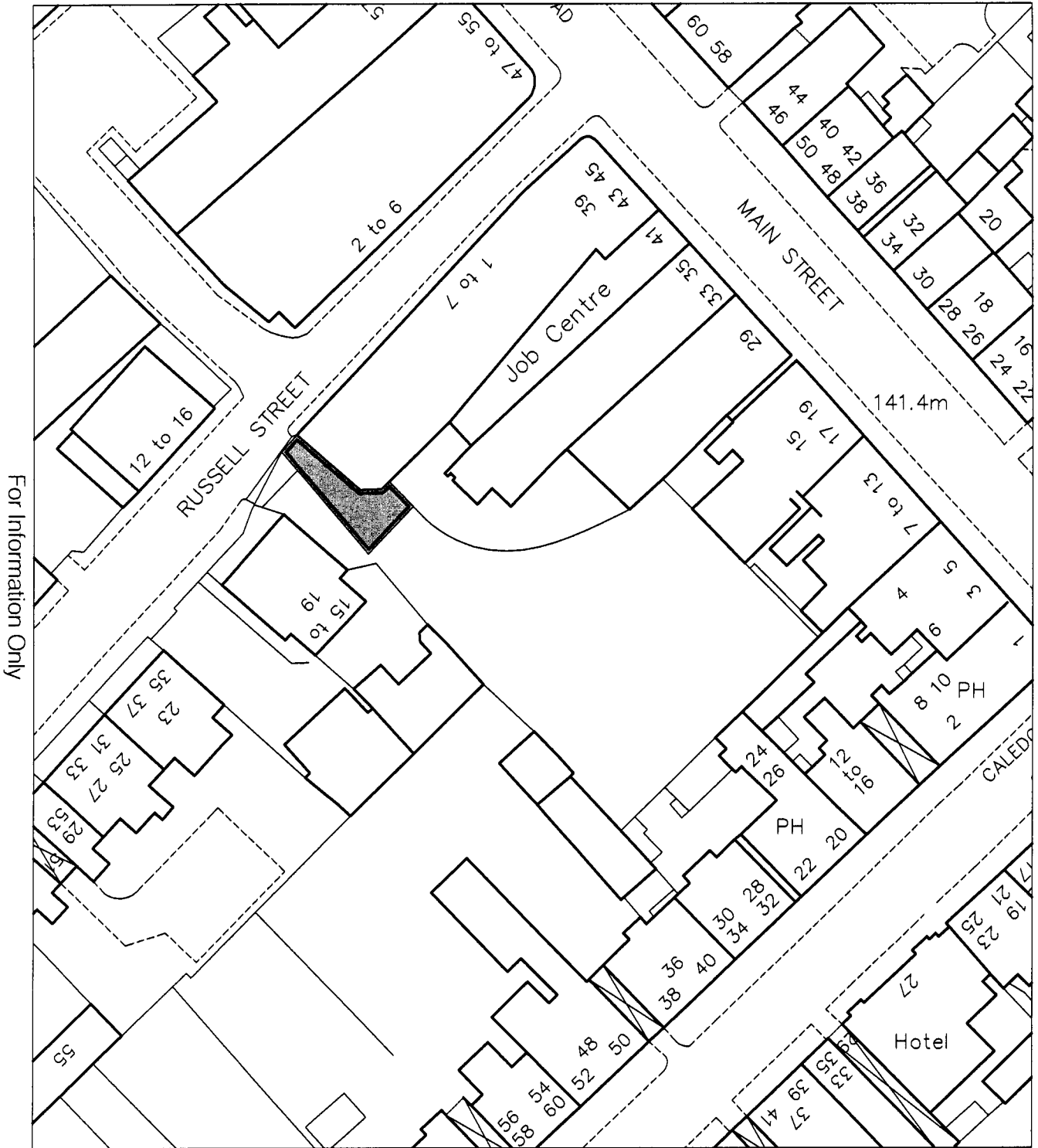


Title: Plan 2. Main St / Russell St

Scale 1:NTS

Town: Wishaw

Date: 19/04/11



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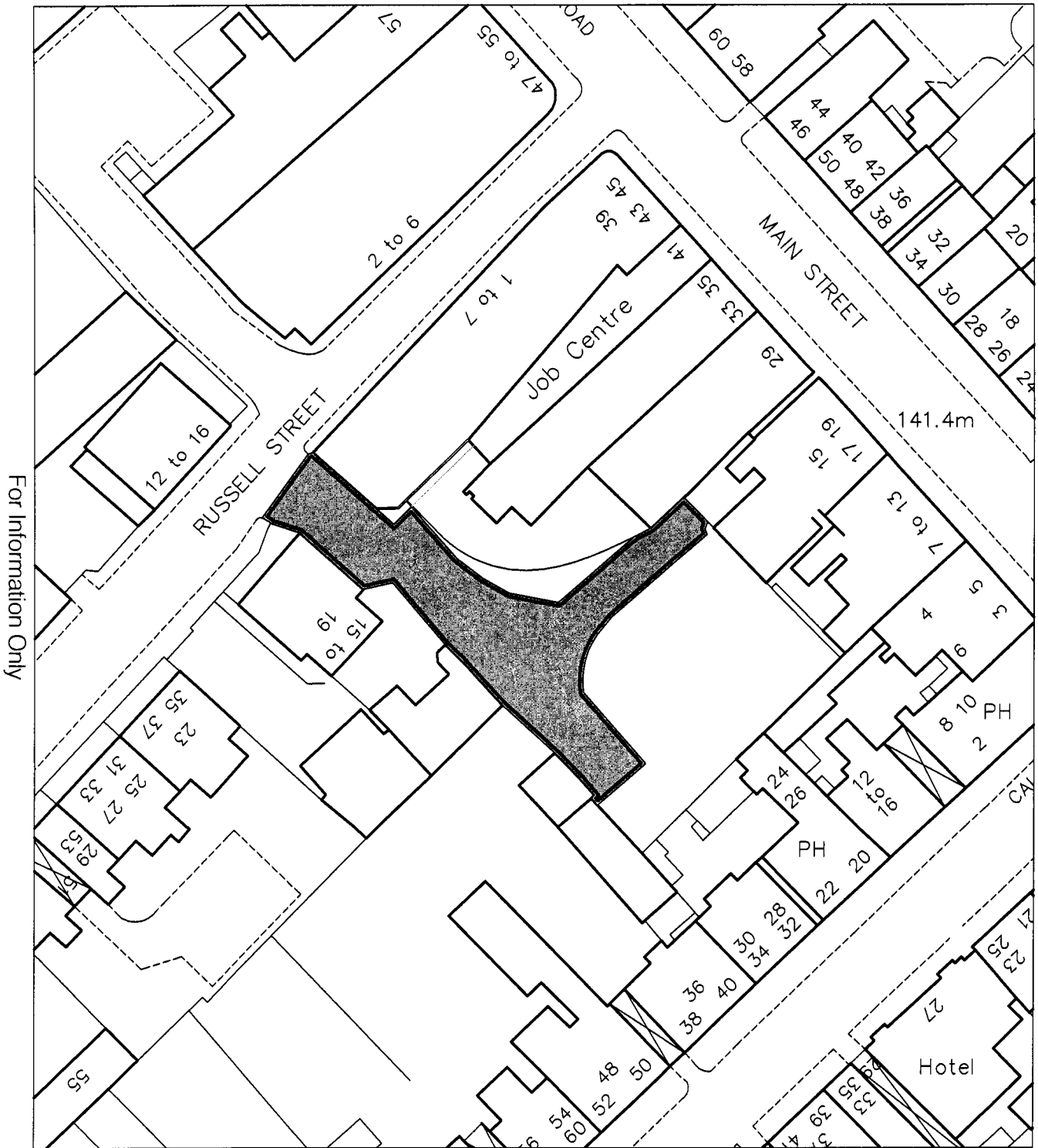
Title: Plan 3. Main St / Russell St

Scale 1:NTS



Town: Wishaw

Date: 19/04/11



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