

Motherwell, 26 May 2011 at 2 pm.

A Meeting of the **POLICY AND RESOURCES (PROPERTY) SUB-COMMITTEE**

PRESENT

Councillor Clarke, Convener; Councillor J. McGuigan, Vice-Convener; Councillors Chadha, Devine, Homer, McElroy, F. McKay, McKeown, Martin, Morgan, Robertson, Stocks and Taggart.

CHAIR

Councillor Clarke (Convener) presided.

IN ATTENDANCE

The Administrative Officer (Committee and Civic Governance Services), Head of Financial Services and Head of Property Services.

APOLOGIES

Provost Curley; Councillors Grant, Griffin, McGlinchey, McKendrick and O'Brien.

CONVENER'S REMARKS

Councillor Clarke intimated that Ian Nisbet, Head of Property Services would be retiring from the Council and wished to formally record the appreciation of the Sub-Committee of the significant contribution that Ian has made during his service with the Council and wished him every success for the future.

Councillor Clarke, also wished to acknowledge the contribution to the service of the Council made by Campbell Crawford, Head of Design Services who was also retiring from the Council.

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. The meeting noted that there were no declarations of interest.

QUARTERLY PERFORMANCE MANAGEMENT REPORT - QUARTER 4 - 1 JANUARY TO 31 MARCH 2011

2. There was submitted a report (docketed) dated 26 April 2011 by the Head of Property Services (1) reporting on areas of Service Performance for quarter 4 of 2010/2011 from 1 January to 31 March 2011, and (2) providing information relating to performance issues and planned action.

Decided: that the current position in relation to the performance indicators for Property Services be noted.

ASSET MANAGEMENT PLAN - LEASING OF COUNCIL SITES TO STREET TRADERS, HOT FOOD VAN OPERATORS AND CIRCUSES, FAIRGROUNDS AND ONE-OFF EVENTS

3. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 4 November 2008 when the policy for leasing of Council owned sites for the operation of hot food vans and other street traders including fairgrounds, circuses and one-off events was approved, there was submitted a report (docketed) dated 4 May 2011 by the Head of Property Services setting out a number of amendments to the policy which had been in operation for just over two years (1) intimating that, from an estate management perspective, hot food vans created a number of difficulties mainly associated within congestion, litter and anti-social behaviour and for those reasons the Council policy would be to actively discourage hot food vans on Council land; (2) indicating that a number of requests had been received from operators wishing to site hot food vans in Council car parks and the Council policy of discouraging hot food vans on Council land, in particular, within car parks would continue to be maintained; (3) reporting that those tenants with historic leases would be allowed to continue their lease until the expiry, however, any renewal to historic leases would be in accordance with the current practice and would have regard to the Council policies at the time of renewal; (4) advising that, in respect of ice cream vans, following the identification of a suitable site/location, an advert would be placed in the local press highlighting the opportunity and, on receipt of satisfactory bids, a lease of up to three years would be granted and at the expiry of the lease the site would then be re-marketed; (5) setting out in the report a number of revisions to the policy in respect of fairgrounds, circuses and one-off events which include (a) consultation with relevant Council services and local Elected Members and the provision to refer the matter to this sub-Committee should objections be received; (b) a requisite rental charge being agreed by the Head of Property Services based on market evidence, and (c) a bond of £1,000 being paid to ensure that any reinstatement, damage or clean up costs could be dealt with at no cost to the Council, and (6) stating that prospective tenants would be advised at the outset of their application that while they will require a licence from the Corporate Services (Licensing) Sub-Committee to trade, they will, in addition, require the grant of a lease and that both elements were separate processes.

Thereon the Convener proposed that consideration of the matter be continued.

Decided: that consideration of the matter be continued to a future meeting of the Sub-Committee.

REPORT ON HUB PROPOSALS - COUNCIL POSITION

4. There was submitted a report (docketed) dated 3 May 2011 by the Head of Property Services regarding the proposal to set up Hubco, a development company, by the Scottish Futures Trust (1) outlining the background to Scottish Futures Trust which has proposed a strategic long term approach to the procurement of public sector based infrastructure projects; (2) stating that the proposals included five geographically based public/private joint venture companies being established to provide development support to local hub territories across Scotland; (3) detailing the key outcomes envisaged and key objectives of the hub; (4) providing details of the proposed company structure, representation and a breakdown of shareholdings; (5) intimating that, in order to deliver the proposals, two organisations would be formed - the Territory Programme Board and Hubco; (6) recommending that the Council participate in the South West Territory Programme Board which would allow the Council to participate in the OJEU and PQQ process and have the benefit of the option of utilising Hubco in the future; (7) indicating that there remained an option for the Council to take a shareholding in Hubco with the anticipated share being derived from the total public sector allocation of 30%, and given that the number of organisations participating was currently 14, the proportionate shareholding would be likely to be in the order of 2%; (8) advising that, as the benefits may become more apparent at a future stage, the recommendation is not to take a shareholding at this time, and (9) further advising that the Council has established a short term working group, comprising officers from Legal Services, Design Services, Finance and Customer Services and Property Services, and discussions were also underway with Learning and Leisure Services as a potential major customer of Hubco.

Decided:

- (1) that the Council participates in Hub proposals to the extent of participating in the South West Territory Programme Board;
- (2) that the issue of the Council taking a shareholding in Hubco be kept under review and, if required, be the subject of a further report to the Sub-Committee;
- (3) that the utilisation of Hubco as the Council's development agent be commended to all services of the Council as an option when considering development vehicles, and
- (4) that all necessary documentation be concluded to deliver the recommendations.

UPDATE ON THE PILOT PROJECT TO INSTALL PHOTO VOLTAIC PANELS ON THE ROOF OF BRON WAY, CUMBERNAULD

5. There was submitted a report dated 20 April 2011 by the Head of Property Services advising of the successful outcome of the pilot project to install Photo Voltaic (PV) panels on the roof of the Council Offices at Bron Way, Cumbernauld which was completed at the end of March 2011, and would provide an estimated income of £1,200 from export tariff and a saving of around 4,463 kg in CO2 emissions per annum.

Decided:

- (1) that the successful completion of the pilot project to install Photo Voltaic solar panels on the roof of the Council Offices at Bron Way, Cumbernauld, be noted, and
- (2) that the Head of Property Services continue to monitor the outcomes from the pilot project to assess the viability of similar schemes in suitable locations within the Council's property portfolio.

ASSET MANAGEMENT PLAN - POLICY ON GRANTING WAYLEAVES

6. **C** There was submitted a report (docketed) dated 13 May 2011 by the Head of Property Services seeking approval of the implementation of a policy on granting wayleaves (1) outlining the background to wayleaves which take the form of pedestrian right of way, vehicular access, underground ducting for electrical cables, telephone line over land and the route of electric pylon or for other similar purposes which are formalised in a wayleave document which both parties sign and thereafter a rental is paid to the Council; (2) stating that the granting of wayleaves was a necessary function of the Council which allows the normal day to day running of utilities across North Lanarkshire, thus assisting with economic regeneration development and which permits the Council's own projects to be carried out and completed, in particular development of the Council's housing schemes, schools and other projects; (3) advising that the Head of Property Services has delegated authority to grant wayleaves and, under this authority, regularly grant wayleaves to utility suppliers most commonly Scottish Power and British Telecom; (4) indicating that the two main issues relevant to the granting of wayleaves were the permanence of the wayleave and rent levels below market value, and (5) enclosing, in Appendix 1 to the report, a proposed Council policy in granting wayleaves.

Decided: that the Policy on Granting Wayleaves be adopted.

GARDEN GROUND/AMENITY LAND DISPOSALS - 2010/2011

7. With reference to paragraph 15 of the Minute of the meeting of this Sub-Committee held on 18 November 2010 when the revised proposals for the disposal of small areas of amenity land were approved and it was agreed that a further report be submitted to a future meeting of the Sub-Committee providing a new policy document reflecting the amendments to the process, there was submitted a report dated 18 April 2011 by the Head of Property Services providing details on the number of small areas of land sold by the Council under the terms of the Amenity Land Disposals Procedure during 2010/2011 (1) setting out, for comparison purposes, the number of completed sales for 2006/07 to 2009/10; (2) intimating that in 2010/11 77 new cases had been received and a total of 14 sales were completed generating income of £24,667, and (3) enclosing, in Appendix 1 to the report, details of the completed cases for 2010/11.

Thereon, the Convener proposed that consideration of the matter be continued.

Decided: that consideration of the matter be continued to a future meeting of the Sub-Committee.

CAPITAL RECEIPTS REVIEW – UPDATE 2010/2011

8. There was submitted a report (docketed) dated 22 April 2011 by the Head of Property Services (1) advising of the outcome of the 2010/2011 Capital Receipts Programme which resulted in a final gross capital receipt of £2,001,937.89 as detailed in Appendix 1 to the report; (2) giving details of factors influencing transactions, including (a) current market conditions, and (b) external factors such as the finalisation of the North Lanarkshire Local Plan, and (3) setting out details of the current position and proposals with regard to the former Albert Primary School, Airdrie, 303 Brandon Street, Motherwell and the former Dalziel Business Centre.

Decided:

- (1) that the progress of the Capital Receipts Programme for 2010/2011 be noted;
- (2) that the actions proposed in relation to the former Albert Primary School, Airdrie, 303 Brandon Street, Motherwell and to former Dalziel Business Centre be approved, and
- (3) that the Head of Property Services submit a further report providing an update to a future meeting of the Sub-Committee.

INDUSTRIAL DEVELOPMENT AT NETHERTON INDUSTRIAL ESTATE, WISHAW – PROGRESS REPORT

9. With reference to paragraph 34 of the Minute of the meeting of this Sub-Committee held on 26 August 2010 when, *inter alia*, it was agreed that the Head of Property Services submit a further report to a future meeting of the Sub-Committee providing an update on the progress of the new industrial development at Netherton Industrial Estate, there was submitted a report (docketed) dated 28 April 2011 by the Head of Property Services (1) advising that the contract was awarded in December 2010 and work had been ongoing to progress the development comprising 24 small industrial units and that, despite some challenges due to inclement weather, the works were well advanced and the development was 70% complete; (2) intimating that it was anticipated that the main construction works would be completed in July 2011 which would allow a marketing exercise to attract potential tenants to commence in the near future, and (3) indicating that the balance of the funding to complete the project had been identified from the Property Services Capital Expenditure budget for 2011/2012 and that, after the units had been leased, the project was likely to generate additional revenue income for the Council from 2012 onwards.

Decided: that the progress of the industrial development at Netherton Industrial Estate, Wishaw be noted.

INDUSTRIAL AND COMMERCIAL LEASES – 1 JANUARY TO 31 MARCH 2011

10. There was submitted a report (docketed) dated 27 April 2011 by the Head of Property Services (1) advising of business centre, commercial, compound, ground, industrial and miscellaneous leases approved by the Head of Property Services in terms of his delegated powers during the period from 1 January to 31 March 2011; (2) setting out, for Quarter 3 of 2010/2011, the properties let, rental generated and jobs maintained/created, and (3) detailing the number of property enquiries by prospective tenants and the source of enquiry.

Decided: that the terms of the report be noted.

ASSET MANAGEMENT PLAN - AMENITY LAND SALES POLICIES 2011

11. With reference to paragraph 15 of the Minute of the meeting of this Sub-Committee held on 18 November 2010 when the revised proposals for the disposal of small areas of amenity land were approved, there was submitted a report dated 22 April 2011 by the Head of Property Services enclosing the Council's sales policy on amenity land.

Thereon, the Convener proposed that consideration of the matter be continued.

Decided: that consideration of the matter be continued to a future meeting of the Sub-Committee.

ENERGY CONSUMPTION AND CARBON COMMITMENT – MONITORING REPORT

12. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 24 February 2011 when the energy consumption and carbon commitment for the period from April to November 2011 was noted, there was submitted a report dated 5 May 2011 by the Head of Property Services enclosing statistics for each Service of the Council for the period from 1 April 2010 to 31 January 2011.

Decided: that the terms of the report be noted.

STATUTORY PERFORMANCE INDICATORS – PUBLIC ACCESS TO COUNCIL BUILDINGS AND ASSET MANAGEMENT

13. There was submitted a report dated 27 April 2011 by the Head of Property Services (1) intimating that Audit Scotland had introduced statutory performance indicators to measure how Councils perform and that those which were relevant to Property Services were Public Access to Council Buildings and Asset Management in terms of the condition of buildings and their suitability for its current use; (2) enclosing statutory performance indicators for Public Access for 2008/09, 2009/10 and 2010/11, and (3) setting out in the report the statutory performance indicator figures for Asset Management for condition and suitability for 2008/9, 2009/10 and 2010/11.

Decided: that the current performance indicators for public access and asset management be noted.

REMITTS FROM THE LEARNING AND LEISURE SERVICES COMMITTEE OF 10 MAY 2011

(1) PAVILION SURPLUS TO REQUIREMENTS AT MOSSPARK ROAD, COATBRIDGE

14. With reference to paragraph 15 of the Minute of the meeting of the Learning and Leisure Services Committee held on 10 May 2011 when that Committee, having considered a report (docketed as relative to the meeting of that Committee) dated 12 April 2011 by the Executive Director of Learning and Leisure Services, agreed to declare the disused pavilion at MossPark Road, Coatbridge, as shown on the plan attached to the report, surplus to operational requirements and refer the matter to this Sub-Committee for consideration, the Sub-Committee considered the report.

Decided: that the Head of Property Services be authorised to deal with the pavilion at MossPark Road, Coatbridge, as shown on the plan attached to the report, in terms of the policy on surplus land and property.

(2) SURPLUS ASSETS: THE FORMER ST. JAMES' PRIMARY SCHOOL, COATBRIDGE

15. With reference to paragraph 14 of the Minute of the meeting of the Learning and Leisure Services Committee held on 10 May 2011 when that Committee, having considered a report (docketed as relative to the meeting of that Committee) dated 12 April 2011 by the Executive Director of Learning and Leisure Services, agreed to declare the disused building and site of the former St. James' Primary School, Lismore Drive, Coatbridge, as shown on the plan attached to the report, surplus to operational requirements and refer the matter to this Sub-Committee for consideration, the Sub-Committee considered the report.

Decided: that the Head of Property Services be authorised to deal with the disused building and site of the former St. James' Primary School, Lismore Drive, Coatbridge, as shown on the plan attached to the report, in terms of the policy on surplus land and property.

(3) ASSET MANAGEMENT - PROMOTING ASSET TRANSFER - UPDATE REPORT

16. With reference to paragraph 13 of the Minute of the meeting of the Learning and Leisure Services Committee held on 10 May 2011 when that Committee, having considered a report (docketed as relative to the meeting of that Committee) dated 31 March 2011 by the Head of Community Information and Learning, agreed that, for the pilot projects, up to two years support be put in place for Holytown and Bargeddie Community facilities including up to two years rental free period, up to two years repairs and maintenance support, up to two years continuous support to build capacity and up to two years revenue grant funding to the value of £5,000, the Sub-Committee considered the report.

Decided: that the terms of the report be noted.

REMIT FROM THE PLANNING AND TRANSPORTATION COMMITTEE OF 13 APRIL 2011 – LAND SURPLUS TO REQUIREMENTS – BATTONRIGG BING, SHOTTS

17. With reference to paragraph 9 of the Minute of the meeting of the Planning and Transportation Committee held on 13 April 2011 when that Committee, having considered a report (docketed as relative to the meeting of that Committee) dated 13 April 2011 by the Head of Planning and Development, agreed to declare an area of land extending to 5 acres or thereby at Battonrigg Bing, Shotts, as shown on the plan attached to the report, surplus to operational requirements and refer the matter to this Sub-Committee for consideration, the Sub-Committee considered the report.

Decided: that the Head of Property Services be authorised to deal with an area of land extending to 5 acres or thereby at Battonrigg Bing, Shotts, as shown on the plan attached to the report, in terms of the policy on surplus land and property.

HOUSING NEW BUILD PROGRAMME - RE-ALLOCATION OF LAND AT COSHNEUK ROAD, MILLERSTON, STEPPS

18. With reference to paragraph 15 of the Minute of the meeting of this Sub-Committee held on 4 November 2008 when the Head of Property Services was authorised to dispose of land extending to 4,900 square metres or thereby, at Coshneuk Road, Millerston, as shown on the plan attached to the report, in terms of the agreed policy, there was submitted a report dated 29 March 2011 by the Head of Property Services (1) seeking approval to re-allocate land extending to 0.524 hectare or thereby at Coshneuk Road, Millerston, Stepps currently as shown on the plan attached to the report, held by Environmental Services to Housing and Social Work Services for inclusion in the Council's New Build Programme, and (2) advising that a capital sum of £330,000 required to be paid from the Housing Revenue Account to the General Services Account to complete the transfer.

Decided:

- (1) that the Head of Property Services be authorised to transfer land extending to 0.524 hectares or thereby, at Coshneuk Road, Millerston, Stepps as shown on the plan attached to the report, to Housing and Social Work Services for inclusion in the New Build Programme;
- (2) that it be noted that £330,000 would require to be transferred from the Housing Revenue Account to the General Services Account to complete the transfer, and
- (3) that the report be remitted to the Housing and Social Work Services Committee for consideration.

GROUND AT FOUNDRY ROAD, SHOTTS

19. There was submitted a report dated 26 April 2011 by the Head of Property Services seeking approval to declare an area of land extending to 5,569 square metres or thereby, at Foundry Road, Shotts, as shown on the plan attached to the report surplus to operational requirements, for inclusion in the Park and Ride Facility at Shotts Railway Station.

Decided: that the Head of Property Services be authorised to declare an area of land extending to 5,569 square metres or thereby at Foundry Road, Shotts, as shown on the plan attached to the report, surplus to operational requirements.

OFFICE ACCOMMODATION - OFFICES AT 166 PARK STREET, MOTHERWELL

20. There was submitted a report dated 10 May 2011 by the Head of Property Services seeking approval to declare the building extending to 945 square metres or thereby, at 166 Park Street, Motherwell, as shown on the plan attached to the report, surplus to operational requirements to permit the Council to advertise the remainder of the Lease in an attempt to attract a sub-let.

Decided: that the Head of Property Services be authorised to declare the building extending to 945 square metres or thereby at 166 Park Street, Motherwell, as shown on the plan attached to the report, surplus to operational requirements.

PROPOSED EXTENSION OF SERVITUDE RIGHT OF ACCESS AND SALE OF COUNCIL LAND

(1) 65 CHAPEL STREET, CLELAND

21. There was submitted a report dated 21 April 2011 by the Head of Property Services seeking approval to (1) dispose of land extending to 27 square metres or thereby at 67 Chapel Street, Cleland, as shown on the hatched area of the plan attached to the report to the owner of 65 Chapel Street for the provisionally agreed sum of £490 which would allow the tenant at 67 Chapel Street, Cleland to proceed with the purchase of their Council house, and (2) vary the terms of servitude right of access over the footpath as shown on the stippled area of the plan attached to the report.

Decided: that the Head of Property Services be authorised to (1) dispose of land extending to 27 square metres or thereby at 65 Chapel Street, Airdrie, as shown on the hatched area of the plan attached to the report to Mr. and Mrs. Wallace for the sum of £490, and (2) vary the terms of a servitude right of access over land, as shown on the stippled area on the plan attached to the report, subject to terms and conditions to be adjusted.

(2) 7 KILNBURN ROAD, MOTHERWELL

22. There was submitted a report dated 18 April 2011 by the Head of Property Services seeking approval to (1) dispose of Council land extending to 1.2 square metres or thereby at 7 Kilburn Road, Motherwell, as shown on the hatched area of the plan attached to the report, and (2) grant a variation to a servitude right of access in relation to numbers 5 and 7 Kilburn Road for the provisionally agreed sum of £712 plus reasonably incurred legal and professional fees to allow the tenant of 5 Kilburn Road to proceed with the purchase of their Council house.

Decided: that the Head of Property Services be authorised to dispose of land extending to 1.2 square metres or thereby at 7 Kilburn Road, Motherwell as shown on the plan attached to the report, to Mr. and Mrs. McNaughton, 7 Kilburn Road, Motherwell for the sum of £712 plus reasonably incurred legal and professional fees and to grant a variation to the servitude right of access in respect of numbers 5 and 7 Kilburn Road, Motherwell, subject to terms and conditions to be adjusted.

LAND AT INCHNEUK ROAD, GLENBOIG – PRICE VARIATION – SALE TO GLENBOIG NEIGHBOURHOOD HOUSE

23. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 25 February 2010 when the Head of Property Services was authorised to dispose of land extending to 776 square metres or thereby as shown on the plan attached to the report, at Inchneuk Road, Glenboig to Glenboig Neighbourhood House for the sum of £350,000 subject to terms and conditions to be adjusted, there was submitted a report dated 20 April 2011 by the Head of Property Services intimating that the purchaser had undertaken a full site investigation which had highlighted a number of abnormal costs in relation to the treatment of old mine workings and the use of vibrational replacement techniques to improve the load bearing characteristics and, as a result, recommending that the purchase price be reduced from £350,000 to £87,321.05.

Decided: that the Head of Property Services be authorised to dispose of land extending to 776 square metres or thereby at Inchneuk Road, Glenboig as shown on the plan attached to the report to Glenboig Neighbourhood House for the reduced sum of £87,321.05, subject to terms and conditions to be adjusted.

LAND AT CLOUDEN ROAD, CUMBERNAULD - MINUTE OF WAIVER

24. There was submitted a report dated 17 March 2011 by the Head of Property Services seeking approval of terms for the grant of superiors consent over land extending to 0.13 hectare or thereby at Clouden Road, Cumbernauld, as shown on the plan attached to the report, to the Salvation Army for the provisionally agreed sum of £1,000 to allow the construction of an extension to the hall.

Thereon, the Convener advised that the proposal was for a Minute of Waiver not a Superiors Consent as stated in the report.

Decided: that the Head of Property Services be authorised to grant a Minute of Waiver for land extending to 0.13 hectare or thereby at Clouden Road, Cumbernauld, as shown on the plan attached to the report, to the Salvation Army for the sum of £1,000 subject to terms and conditions to be adjusted.

SERVITUDE TO THE REAR OF 33/35 PARKBURN ROAD, KILSYTH – MR. JAMES O'DONNELL

25. There was submitted a report dated 18 April 2011 by the Head of Property Services seeking approval to grant a permanent servitude over land to the rear of 33/35 Parkburn Road, Kilsyth, as shown on the plan attached to the report, for the sum of £1,500, to Mr. James O'Donnell for the purpose of running a connection across Council land into a culvert to deal with surface water run off from the site.

Decided: that the Head of Property Services be authorised to grant a permanent servitude for land to the rear of 33/35 Parkburn Road, Kilsyth as shown on the plan attached to the report, to Mr. James O'Donnell or his nominees for the sum of £1,500 subject to terms and conditions to be adjusted.

SALE OF LAND AT ORCHARDTON ROAD, CUMBERNAULD

26. There was submitted a report dated 3 May 2011 by the Head of Property Services seeking approval to sell an area of land extending to 1.45 hectares or thereby, at Orchardton Road, Cumbernauld, as shown on the plan attached to the report, to Fusion Assets Limited.

Thereon, the Convener proposed that consideration of the matter be continued.

Decided: that consideration of the matter be continued to a future meeting of the Sub-Committee.

GROUND AT FOUNDRY ROAD, SHOTTS

27. There was submitted a report dated 26 April 2011 by the Head of Property Services seeking approval of terms for the settlement of compensation arising from the Motherwell District Council (Foundry Road, Shotts) CPO 1987 (1) intimating that the CPO included ground extending to 0.198 hectare or thereby, as shown on the plan attached to the report, which was in the ownership of James Chapman (Butchers) Limited adjacent to their abattoir, and (2) advising that, following negotiation, a provisional sum of £2,000 had been agreed plus associated fees and the transfer from the Council to James Chapman (Butchers) Limited an area of land extending to 0.0967 hectare.

Decided: that the Head of Property Services be authorised to transfer land extending to 0.0967 hectare and pay James Chapman (Butchers) Limited the sum of £2,000 plus associated fees arising from the Motherwell District Council (Foundry Road, Shotts) CPO 1987 subject to terms and conditions to be adjusted.

NORTH LANARKSHIRE COUNCIL (LAND TO REAR OF 7-45 MAIN STREET/1/19 RUSSELL STREET, WISHAW) CPO 2007

(1) ASTEC GB LIMITED

28. With reference to paragraph 5 of the Minute of the Special meeting of the Planning and Environment Committee held on 18 April 2007 when it was agreed that land to the rear of 7/45 Main Street and 1/19 Russell Street, Wishaw be purchased by means of the promotion of a Compulsory Purchase Order (CPO), there was submitted a report dated 26 April 2011 by the Head of Property Services (1) seeking approval of terms for the acquisition of land extending to 455 square metres or thereby at 15 Main Street, Wishaw, as shown on plan 1 attached to the report from Astec GB Limited, and (2) advising that, following negotiations with Astec GB Limited, a figure of £2,000 plus associated fees had been provisionally agreed for the heritable property interest acquired under the CPO.

Decided: that the Head of Property Services be authorised to pay Astec GB Limited £2,000 plus associated costs for the heritable property interest acquired under the North Lanarkshire Council (Land to the Rear of 7/45 Main Street and 1/19 Russell Street, Wishaw) Compulsory Purchase Order 2007, subject to terms and conditions to be adjusted.

(2) MR. SEAN DOYLE

29. With reference to paragraph 5 of the Minute of the Special meeting of the Planning and Environment Committee held on 18 April 2007 when it was agreed that land to the rear of 7/45 Main Street and 1/19 Russell Street, Wishaw be purchased by means of the promotion of a Compulsory Purchase Order (CPO), there was submitted a report dated 31 March 2011 by the Head of Property Services (1) seeking approval of terms for the acquisition of land extending to 14 square metres or thereby at 19b Russell Street, Wishaw, as shown on the plan attached to the report from Mr. Sean Doyle following the promotion of a CPO, and (2) advising that, following negotiations with Mr. Doyle, a figure of £100 plus associated fees had been provisionally agreed for the heritable property interest acquired under the CPO.

Decided: that the Head of Property Services be authorised to pay Mr. Sean Doyle £100 plus associated fees for the heritable property interest acquired from him under the North Lanarkshire Council (Land to the Rear of 7/45 Main Street and 1/19 Russell Street, Wishaw) Compulsory Purchase Order 2007, subject to terms and conditions to be adjusted.

(3) ASPIN ESTATES LIMITED

30. With reference to paragraph 5 of the Minute of the Special meeting of the Planning and Environment Committee held on 18 April 2007 when it was agreed that land to the rear of 7/45 Main Street and 1/19 Russell Street, Wishaw be purchased by means of the promotion of a Compulsory Purchase Order (CPO), there was submitted a report dated 26 April 2011 by the Head of Property Services (1) seeking approval of terms for the acquisition of land extending to 78 square metres or thereby, as shown on the plan attached to the report, from Aspin Estates Limited, and (2) intimating that, following negotiations with agents representing Aspin Estates Limited, it had been provisionally agreed that instead of a monetary compensation payment for the interest acquired the Council would grant a new servitude right of access over the service road as shown on plan 3 attached to the report, plus associated costs.

Decided: that the Head of Property Services be authorised to grant a new servitude right of access over the service road, as shown on plan 3 attached to the report to Aspin Estates Limited, in lieu of monetary compensation for land acquired as a consequence of the North Lanarkshire Council (Land to the Rear of 7/45 Main Street and 1/19 Russell Street, Wishaw) Compulsory Purchase Order 2007, subject to terms and conditions to be adjusted.

PROPOSED LEASE EXTENSION

(1) SHOP PREMISES AT 116 MERRY STREET, MOTHERWELL – TENANT: MR. S. Y. CHAN

31. There was submitted a report dated 27 April 2011 by the Head of Property Services advising that Mr. S.Y. Chan currently leased the premises extending to 38.73 square metres or thereby at 116 Merry Street, Motherwell, as shown on the plan attached to the report and had requested that the lease be extended for a further period of 25 years.

Decided:

- (1) that the Head of Property Services be authorised to extend the lease of the premises extending 38.73 square metres or thereby at 116 Merry Street, Motherwell to Mr. S.Y. Chan for a period of 25 years from 25 August 2011 at a rental of £4,600 per annum from 25 August 2011, £5,600 per annum from 25 August 2012 and £6,600 per annum from 25 August 2013 and thereafter five yearly rent reviews, subject to terms and conditions to be adjusted, and
- (2) that the report be otherwise noted.

(2) SHOP PREMISES AT 15 MINCHER CRESCENT, MOTHERWELL – TENANT: LISA SMITH

32. There was submitted a report dated 27 April 2011 by the Head of Property Services advising that Ms. Lisa Smith currently leased premises extending to 44.22 square metres or thereby at 15 Mincher Crescent, Motherwell, as shown on the plan attached to the report for use as a hairdressing salon and had requested that the lease be extended for a further period of 20 years.

Decided:

- (1) that the Head of Property Services be authorised to extend the lease of the premises extending to 44.22 square metres or thereby at 15 Mincher Crescent, Motherwell, as shown on the plan attached to the report, to Ms. Lisa Smith for a period of 20 years from 27 May 2011 at a rental of £3,600 per annum, subject to five yearly rent reviews and other terms and conditions to be adjusted, and
- (2) that the report be otherwise noted.

(3) 66B LEVEN ROAD, COATBRIDGE – AUJLA ENTERPRISES (SCOTLAND) LIMITED

33. With reference to paragraph 34 of the Minute of the meeting of this Sub-Committee held on 1 September 2009, there was submitted a report dated 21 April 2011 by the Head of Property Services seeking approval of terms to grant a lease extension for the premises extending to 43 square metres or thereby at 66B Leven Road, Coatbridge, as shown on the plan attached to the report, to Aujla Enterprises (Scotland) Limited for a period of 20 years.

Decided:

- (1) that the Head of Property Services be authorised to extend the lease of the premises extending to 43 square metres or thereby at 66B Leven Road, Coatbridge, as shown on the plan attached to the report, to Aujla Enterprises (Scotland) Limited for use as a general convenience store with a post office for a period of 20 years from 9 September 2012 at a rental of £7,500 per annum, subject to five yearly rent reviews and other terms and conditions to be adjusted, and
 - (2) that the report be otherwise noted.
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LEASE RENEWAL - 17 EARN AVENUE, RIGHEAD INDUSTRIAL ESTATE, BELLSHILL – TENANT: THE BSS GROUP LIMITED

34. There was submitted a report dated 26 April 2011 by the Head of Property Services advising that the BSS Group Limited currently leased the premises extending to 525 square metres or thereby at 17 Earn Avenue, Righead Industrial Estate, Bellshill, as shown on the plan attached to the report, and had requested that the lease be extended for a further period of 10 years.

Decided:

- (1) that the Head of Property Services be authorised to extend the lease of the industrial unit extending to 525 square metres or thereby at 17 Earn Avenue, Righead Industrial Estate, Bellshill, as shown on the plan attached to the report, to the BSS Group Limited for a period of 10 years at a rental of £27,000 per annum subject to five yearly rent reviews and a tenant only break option at year 6 and other terms and conditions to be adjusted, and
- (2) that the report be otherwise noted.

PROPOSED SUB-STATION LEASE

(1) CHRYSTON HIGH SCHOOL – TENANT: SP DISTRIBUTION LIMITED

35. There was submitted a report dated 21 April 2011 by the Head of Property Services seeking approval of terms for the granting of a 99 year lease and associated cable servitude to SP Distribution Limited over land extending to 25 square metres or thereby at the new Chryston High School, as shown on the plan attached to the report, for the sum of £1 per annum, if asked.

Decided: that the Head of Property Services be authorised to grant a new lease and cable servitude over land extending to 25 square metres or thereby at the new Chryston High School, as shown on the plan attached to the report, to SP Distribution Limited for a period of 99 years for the sum of £1 per annum, if asked, subject to terms and conditions to be adjusted.

(2) SIR JOHN WILSON TOWN HALL, STIRLING STREET, AIRDRIE – TENANT: SP DISTRIBUTION LIMITED

36. There was submitted a report dated 26 April 2011 by the Head of Property Services seeking approval of terms for the granting of a 60 year lease and associated cable servitude over land extending to 25 square metres or thereby, at Sir John Wilson Town Hall, Stirling Street, Airdrie, as shown on the plan attached to the report, to SP Distribution Limited for the sum of £1 per annum, if asked.

Decided: that the Head of Property Services be authorised to grant a new lease and cable servitude over land extending to 25 square metres or thereby at the Sir John Wilson Town Hall, Stirling Street, Airdrie, as shown on the plan attached to the report, to SP Distribution Limited for a period of 60 years for the sum of £1 per annum, if asked, subject to terms and conditions to be adjusted.

STAFFING REVIEW - (1) ENERGY ASSESSOR'S RENEWAL OF ANNUAL CONTRACT AND (2) ADMINISTRATIVE ASSISTANT CONTINUATION OF AN ANNUAL CONTRACT

37. With reference to paragraph 30 of the Minute of the meeting of this Sub-Committee held on 25 February 2010 when the temporary contract of five Energy Assessors at salary grade NLC6 was extended for a further period of one year up to 31 March 2011, there was submitted a report dated 11 May 2011 by the Head of Property Services (1) referring also to the meeting of this Sub-Committee

held on 10 March 2009 when an additional three temporary posts of Energy Assessor were created for the period up until 31 March 2011; (2) advising that the Head of Human Resources in terms of her delegated authority had extended the temporary contracts of the eight Energy Assessors at salary grade NLC6, and one Administrative Assistant at salary grade NLC6 until 30 June 2011 and (3) recommending that the posts be extended until 31 March 2012.

Decided:

- (1) that the temporary contracts of the eight Energy Assessors at salary grade NLC6 and one Administrative Assistant at salary grade NLC6 be extended for a further period of one year up until 31 March 2012, and
- (2) that a report be remitted to the Policy and Resources (Human Resources) Sub-Committee for consideration.

SCOTT HOUSE, MOTHERWELL – GROUND FLOOR REFURBISHMENT

38. There was submitted a report dated 14 February 2011 by the Head of Design Services (1) providing details of tenders received for the ground floor refurbishment at Scott House, Motherwell; (2) indicating that the lowest tender was, after checking, that by GMC Contract Services, Uddingston in the sum of £317,304.51, and (3) advising that, following consultation with the Convener, the Executive Director of Corporate Services was progressing the tender acceptance in terms of his delegated powers.

Decided: that the action taken by the Executive Director of Corporate Services following consultation with the Convener, in progressing the tender acceptance as detailed in the report be noted.

PROPOSED TENDER OF THE COMMISSIONAIRE SERVICE AT FLEMING HOUSE, CUMBERNAULD

39. There was submitted a report dated 26 April 2011 by the Head of Property Services seeking approval to commence a procurement exercise for the re-tender of the contract for the commissionaire service at Fleming House, Tryst Road, Cumbernauld (1) advising that the duration of the new contract would be for 36 months with an option to extend for a further 24 months at the Council's discretion and that the estimated value of the contract over the five year period was £175,000, and (2) intimating that the current arrangements with Corps Security would continue until the procurement process was completed and the new contract was in place, with existing staff being covered by TUPE regulations.

Decided: that the Head of Property Services be authorised to commence the competitive tendering of the commissionaire service at Fleming House, Cumbernauld.

The Convener, being of the opinion that the following item of business was relevant, competent and urgent, authorised its consideration in order that the matter be progressed.

PROPOSED RE-ROUTE OF SERVITUDE RIGHT OF ACCESS AT 25 AND 27 NESS STREET, PATHER, WISHAW

40. There was submitted a report dated 21 April 2011 by the Head of Property Services seeking approval of terms for the granting of servitude right of access at 25 and 27 Ness Street, Pather, Wishaw, as shown on the plan attached to the report, for the provisionally agreed sum of £250.

Decided: that the Head of Property Services be authorised to grant a servitude right of access, as shown on the plan attached to the report, in favour of Mr. and Mrs. Fairly, 25 Ness Street, Wishaw, for the sum of £250 plus associated legal costs and other terms and conditions to be adjusted.