

WEST DUNBARTONSHIRE COUNCIL

Report by Executive Director of Housing, Environmental and Economic Development

Housing, Environment and Economic Development Committee: 6 August 2008

Subject: Sale of Land at Cross Cottage, William Street, Duntocher

1. Purpose

- 1.1** The purpose of this report is to seek Committee approval to sell the landlord's interest in 711 sq.m. or thereby of land at Cross Cottage, William Street, Duntocher as shown hatched in black on the attached plan, to the sitting tenant, Miss T McCafferty.

2. Background

- 2.1** The former Clydebank District Council purchased 2,082 sq.yds (1,740 sq.m.) or thereby of ground fronting Dumbarton Road and William Street, Duntocher in November 1982. This land is shown outlined in black on the attached Ordnance Survey plan. The area of land is subject to three ground leases first recorded on 10 March 1762 for a period of 342 years at a current ground rental of £5 per annum.
- 2.2** Miss McCafferty has been the tenant of Cross Cottage, William Street, Duntocher since 4 September 2006 which forms part of the 1,740 sq.m. or thereby of ground owned by the Council.
- 2.3** The Solicitor acting for Miss McCafferty has formally requested to purchase the Council's interest in the land occupied by Cross Cottage and the adjoining garden area.

3. Main Issues

- 3.1** Land extending to 711 sq.m. or thereby is leased to Miss McCafferty by the Council until the year 2104 at £1 (One Pound) per annum with no provision for a ground rent review.
- 3.2** Negotiations between the Estates Section and the agent acting for Miss McCafferty have resulted in the provisionally agreed terms and conditions which are outlined below.
- (a) Miss McCafferty shall purchase the landlord's interest in the land extending to 711 sq.m. or thereby at Cross Cottage, Duntocher.
- (b) The date of settlement shall be 1 September 2008 or earlier by mutual agreement.

- (c) The price is £10,000 (Ten Thousand Pounds Sterling) exclusive of VAT which is the market value of the landlord's interest in the ground.
- (d) Miss McCafferty has already paid the Estates administration fee of £500 plus VAT.
- (e) Miss McCafferty shall pay the Council's legal fees, expenses, outlays and VAT together with Stamp Duty and Registration Dues.
- (f) Miss McCafferty shall pay for a Property Enquiry Certificate, if applicable.

4. Personnel Issues

- 4.1 There are no personnel issues.

5. Financial Implications

- 5.1 The Council will receive the market value of £10,000 from the sale of the landlord's interest in the land.

6. Risk Analysis

- 6.1 There is no risk associated with the disposal of this land.

7. Conclusions

- 7.1 The Council will benefit from a capital receipt of £10,000 from the sale of the land at market value as outlined in paragraph 5.1.

8. Recommendations

8.1 It is recommended that the Committee:

- (i) **Authorise the Executive Director of Housing, Environmental and Economic Development to sell the Council's interest in the land extending to 711 sq.m. or thereby at Cross Cottage, William Street, Duntocher to Miss T McCafferty for £10,000 (Ten Thousand Pounds Sterling) subject to the conditions contained within paragraph 3.2 of this report; and**
- (ii) **Authorise the Head of Legal, Administrative and Regulatory Services to conclude the transactions subject to such legal conditions that are considered appropriate.**

Elaine Melrose
Executive Director of Housing, Environmental and Economic Development
Date: 11 July 2008

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Appendices: Plan of land at William Street, Duntocher

Background Papers: Estates Section Files

Ward Affected: 4