

**To:** Communities, Housing and Planning Policy Board

**On:** 30 October 2018

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**Report by:** Director of Finance & Resources

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**Heading:** Proposed Disposal of Commercial Property - 16 High Street, Johnstone

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1. **Summary**

1.1 The purpose of this report is to seek consent to declare the property at 16 High Street, Johnstone surplus to requirements, as shown on the attached plan E2775.

1.2 This is to allow the property to be disposed to the existing tenant.

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2. **Recommendations**

2.1 That the Board declare the commercial property at 16 High Street, Johnstone surplus to requirements.

2.2 Note that should the Board declare the property surplus, the property will be sold to the existing tenant Mr Perella on terms and conditions negotiated and provisionally agreed with the Head of Property. The disposal of this property will be considered by the Infrastructure, Land and Environment Policy Board.

2.3 Please note that in accordance with the recent changes to the Scottish Ministers' consent when disposing of HRA Assets, this disposal will be under the General Consent available and will be self-certified by the Council.

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### 3. **Background**

- 3.1 The commercial property which is located at 16 High Street is currently leased to Mr Perella. The tenant has been in occupancy of the premises since the 4<sup>th</sup> of December 2017 when the lease was transferred from the previous tenant who was trading as a newsagent. The current rent for the property is £5,200 per annum.
- 3.2 At present the property is not trading. However, Mr Perella acquired the tenants interest in this property with the intention to combine it with the adjacent property, 12/14 High Street which he owns and is currently being used as an Italian Restaurant and Takeaway. Mr Perella purchased this property from the Council on the 7<sup>th</sup> of December 2016. If this is not possible he would re-open as a retail opportunity.
- 3.3 There is a shared maintenance responsibility with the flats at High Street (3) and the flats on Walkinshaw Street (8). It is worth noting that of the 11 flats in total, 5 that have been sold under Right to Buy.
- 3.4 There has been one shop disposal within this small parade (12/14 High Street) and given the mixed tenure of flats above coupled with the capital receipt that will be received by the HRA Account, the Head of Planning and Housing has confirmed there would be no objections to this disposal.
- 3.5 The Head of Corporate Governance has advised that there is no restriction that would prevent this property being sold.
- 3.6 The tenant has approached the Council to acquire the interest, and following negotiations, a provisional agreement of £67,000 has been reached as a purchase price.

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### **Implications of the Report**

1. **Financial** - A capital receipt of £67,000 will be achieved for the Housing Revenue Account.
2. **HR & Organisational Development** – Not applicable.
3. **Community/Council Planning** – Not applicable
4. **Legal** – Conclusion of Sale.
5. **Property/Assets** – As per the content of this report.

6. **Information Technology** – Not Applicable

7. **Equality & Human Rights** -

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website. (Report author to arrange this).

8. **Health & Safety** – Not applicable

9. **Procurement** – Not applicable

10. **Risk** – Not applicable

11. **Privacy Impact** – Not applicable

12. **Cosla Policy Position** – Not applicable.

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27/09/2018

# 16 High Street, Johnstone

## Report Plan Ref. E2775




User: howardhaughj2

Date: 28/09/2018



### Legend

 Proposed disposal of 16 High Street, Johnstone

Notes: