
To: Infrastructure, Land & Environment Policy Board

On: 29th August 2018

Report by: Director of Finance & Resources

Heading: Land at Calderside Road, Lochwinnoch

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a lease of land at Calderside Road, Lochwinnoch.
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2. Recommendations

It is recommended that the Board:-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a lease of land at Calderside Road, Lochwinnoch on the basis of the main terms and conditions contained in this report.
- 2.2 Grant authority to the Head of Property and the Head of Corporate Governance to agree a partial lease renunciation of land at Calderside Road, Lochwinnoch from one party to enable it to be leased to another.
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3. Background

- 3.1 The area of ground indicated on the attached plan is part of a long term agricultural tenancy in favour of Mr Ian Lamont of West Tandlemuir Farm.

Since 21st May 2018 this site has been occupied under Licence by EE Limited, who have erected a temporary telecommunications installation to serve both the emergency services and mobile phone users. Planning permission for this installation was obtained in May 2017, and the works carried out on site have been done so with the full co-operation and agreement of Mr Lamont. The temporary Licence runs for 11 months and a rent of £3,000 has been paid. EE Limited however wish to make this a permanent installation, and have therefore requested a longer term lease.

- 3.2 To enable this land to be leased exclusively to EE Ltd. it will need to be removed from the area currently leased to Mr Lamont as part of his agricultural let.
- 3.3 This proposed new lease is in accordance with the Council's policy for allowing telecommunications installations on its land and property, as detailed in the Background Papers listed below.
- 3.4 Discussions have taken place with agents on behalf of EE Ltd, and the following main terms and conditions have been provisionally agreed;

4. **Proposed terms and conditions of lease;**

- 4.1 The existing lease shall be renounced at a mutually agreed date between both parties. This date shall also be the date of entry in the new lease.
 - 4.2 The new lease shall be for a period of 20 years and shall be on the basis of the Council's standard Full Repairing and Insuring style of lease.
 - 4.3 The initial annual rental shall be £3,000.00, to be reviewed to market value every 5 years.
 - 4.4 The land shall continue to be used to site a telecommunications installation, with ancillary cabinets and equipment.
 - 4.5 The land to be leased extends to approximately 100 square metres, as shown on the attached plan.
 - 4.6 The tenant shall meet the Council's reasonable legal expenses incurred in concluding the lease renunciation and new lease.
 - 4.7 A partial renunciation of this land from the West Tandlemuir Farm lease shall be necessary before a new lease in favour of EE Ltd can be finalised.
 - 4.8 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.
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Implications of the Report

1. **Financial** – Annual rent of £3,000 to be received.
 2. **HR & Organisational Development** – None.
 3. **Community Planning**

Our Renfrewshire is thriving – New lease will maintain existing local service.
 4. **Legal** – Partial lease renunciation and new lease to be concluded.
 5. **Property/Assets** – As per this report.
 6. **Information Technology** – None.
 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 no groups or individuals have any involvement currently at the property. 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.
 8. **Health & Safety** – None.
 9. **Procurement** – Not applicable.
 10. **Risk** – None.
 11. **Privacy Impact** – Not applicable.
 12. **Cosla Policy Position** – Not applicable.
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List of Background Papers

- (a) Background Paper 1 – General Management & Finance Policy Board on 7th November 2001 – Report by The Director of Housing & Property Services entitled ‘Telecommunications Installations’.
- (b) Background Paper 2 – Planning & Development Policy Board on 28th March 2006 – Report by The Director of Planning & Transport and The Director of Housing & property Services entitled ‘Council policy regarding siting of telecom masts/antennae on Council land and property’.

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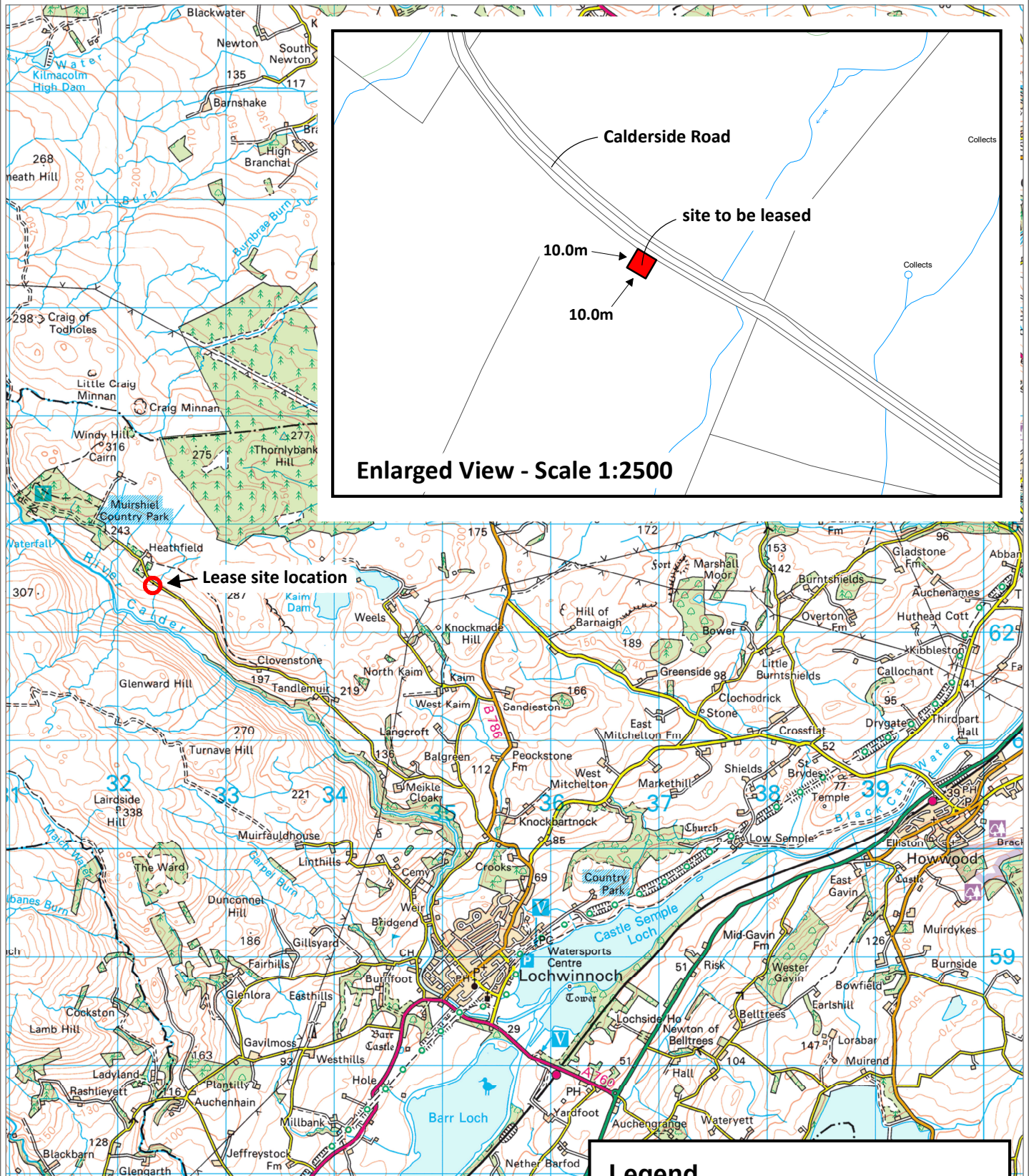
Renfrewshire
Council

Land at Calderside Road, Lochwinnoch Report / Lease Plan Ref. E2732




User: howardhaughj2

Date: 20/06/2018



Legend

 Area to be leased extends to 100sqm or thereby

Notes:

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