

DISPOSAL OF LAND AT THE FORMER XCITE LIVINGSTON SITE, ALMONDVALE PARKWAY, LIVINGSTON

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising members of the outcome of the exercise to remarket the former Xcite Livingston site at Almondvale Parkway, Livingston and seeking approval for the sale of that site to Cruden Homes Limited for £3,116,248.

It was recommended that the Council Executive:

1. Approve the sale of the site of the former Xcite Livingston, Almondvale Parkway, Livingston to Cruden Homes Limited for £3,116,248 on the terms set out in the report;
2. Authorise the Head of Finance and Property Services to carry out any further negotiations of the terms of sale for the property provided that any revised terms and conditions still represented best value for the council; and
3. Note that arrangements for the relocation of the "Symbiosis" sculpture had been agreed.

In response to a question from members, the Governance Manager confirmed that should the matter be referred to the Development Management Committee, the members of the Development Management Committee were aware of the council's separate responsibilities as land owner and planning regulator.

Motion

To approve the terms of the report.

- Moved by the Chair and seconded by Councillor Susan Manion.

Amendment

Council Executive notes that the terms of sale for the land at the former Excite Livingston site contain a number of conditions that represent a financial risk to the Council: -

1. The amount receipted to the Council may be reduced pro-rata if the projected housing density is not achieved;
2. The amount receipted to the Council will be reduced by any Section 75 costs; and,
3. The amount receipted to the Council will be reduced by any abnormal development costs – including service diversions, utility upgrades (including a substation), archaeological works, and

abnormal foundations.

Notwithstanding the £180,000 demolition costs already incurred by the Council, these further potential reductions are unquantified, unquantifiable, and unlimited in their impact on the final amount received to the Council.

Council Executive therefore declines to agree the recommendations in the report due to insufficient detail on the proposed sale and without an assured sale value or an assured minimum sale value.

Council Executive instructs that additional work is undertaken by officers to determine: -

- a) A contractually agreed minimum acceptable receipted sale value to the Council after deductions following completion of the planning processes;
- b) Whether the statutory affordable housing provision are to be part of this development or built offsite;
- c) Costs and responsibility for relocation of the public artwork "Symbiosis"; and,
- d) An assessment of expected Section 75 contributions.

- Moved by Councillor Pauline Stafford and seconded by Councillor Moira McKee Shemilt.

The Head of Finance and Property Services confirmed per Standing Order 15(7) that the Amendment would have no financial implications for the council.

An electronic vote was conducted. The result was as follows:

Motion

Alison Adamson
Tom Conn
Angela Doran-Timson
Lawrence Fitzpatrick
Danny Logue
Susan Manion
Anne McMillan
Craig Meek
George Paul

Amendment

Moira McKee Shemilt
Pauline Orr
Sally Pattle
Pauline Stafford

Decision

Following a vote, the motion was successful by 9 votes to 4 and was agreed accordingly.