

GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE

ABERDEEN, 22nd September 2010. - Minute of Meeting of the GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE. Present:- Councillor John West, Master of Mortifications, Chairperson; Lord Provost Peter Stephen; and Councillor Crockett.

Officers in Attendance:- James Argo and Richard Wood, Enterprise, Planning and Infrastructure; and Hugh Coleman and Martyn Orchard, Corporate Governance.

DETERMINATION OF EXEMPT BUSINESS

1. The Sub Committee was requested to determine that the item of business entitled 'Westside of Carnie - Offer to Purchase - Report by Director of Enterprise, Planning and Infrastructure' which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private.

The Sub Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the item of business entitled 'Westside of Carnie - Offer to Purchase - Report by Director of Enterprise, Planning and Infrastructure' (Article 3 of this minute refers) so as to avoid disclosure of exempt information of the class described in paragraphs 6 and 9 of Schedule 7(A) of the Act.

MINUTE OF PREVIOUS MEETING

2. The Sub Committee had before it the minute of its previous meeting of 14th June 2010.

The Sub Committee resolved:-

to approve the minute.

In accordance with the decision recorded under Article 1 of this minute, the following item of business was considered with the press and public excluded.

WESTSIDE OF CARNIE - OFFER TO PURCHASE - EPI/10/230

3. The Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure, which was to be considered by the Finance and Resources Committee on 28th September 2010, which related to the Westside of Carnie, Skene, currently the subject of a lease by the Council under the Agricultural

Holdings (Scotland) Act 1991 and in respect of which the tenant had submitted an offer to purchase the Council's interest.

The report contained a detailed description of the area of land involved and the terms and conditions upon which it was currently leased; provided an indication of the situation that had arisen with the rent review negotiations between the parties; and explained in some detail the possible future outcomes and implications for the Council arising from that rent review, the tenant's rights under the agricultural lease and the sale of the land, if that was what was decided be done.

The report referred to the results of the valuation exercise carried out on the Council's behalf by the term contractor for valuation services; to the planning considerations that needed to be taken into account; and to the ability of the Council to protect its interests as regards any longer term development value which the site may realise. The two main options available to the Council were outlined and assessed in the context of what was in the best interests of the Lands of Skene Trust Fund, under which the subjects at Westside of Carnie were held.

The report recommended:-

that the Finance and Resources Committee accept the offer received for the sale of the property at Westside of Carnie, Skene, subject to such a clawback provision as the Head of Legal and Democratic Services considered most suitable to protect the Council's interests.

The Sub Committee resolved:-

to support the approval of the recommendation.

- **JOHN WEST, Master of Mortifications, Chairperson.**