

2 LAND AT FORTIES ROAD - S75 AGREEMENT (AN55-2011)

In 1996 Tayside Regional Council and the City of Dundee District Council entered into what was then a S50 Agreement (now known as S75 Planning Obligations) in respect of land lying to the east of Forties Road, Dundee.

The agreement sought to ensure that the land affected would be developed to provide facilities connected with the operation of a waste to energy plant and that within a year of the commissioning of the new plant, the existing incinerator would cease operation as an incinerator.

Since then the new waste to energy plant has been constructed and is operational and the existing incinerator has ceased operation as an incinerator.

Land on the west side of Forties Road is in the process of being sold by the City Council to EMR Ltd, and solicitors for the purchasers consider that the title to this land is affected by the existing S50 Agreement. As the restriction created by the S50 Agreement is no longer relevant or appropriate, Committee is asked to approve the discharge of the S50 Agreement.