

REPORT TO: DEVELOPMENT QUALITY COMMITTEE - 27 JUNE 2005

REPORT ON: DANGEROUS BUILDING AT 10 AND 16 NELSON STREET

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 310-2005

1 PURPOSE OF REPORT

1.1 To update Committee on progress being made in dealing with the dangerous building at 10 and 16 Nelson Street and to seek authority for proposed future actions.

2 RECOMMENDATION

2.1 Committee is asked to:-

- a note the position with regard to the Notices served to date and approve an Order under Section 13 of the Building (Scotland) Act requiring operations on a dangerous building to be served on the owners;
- b note the tenders submitted for carrying out the works and authorise the Depute Chief Executive (Support Services) to accept the offer of £17,020 from Dundee Plant Limited in the event that the Order is not complied with; and
- c authorise the overall expenditure of £24,520 including professional fees and contingencies.

3 FINANCIAL IMPLICATION

3.1 The Depute Chief Executive (Finance) advises that the costs will initially be met from within the Planning and Transportation Department Revenue Budget. All such costs will be recovered from the owners, if necessary by Compulsory Purchase of the land which will then be offered for sale.

4 LOCAL AGENDA 21 IMPLICATIONS

4.1 Ensuring that buildings are maintained in a safe condition will contribute towards Key Theme 8 by creating a safe and pleasant environment.

5 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications relevant to this report.

6 BACKGROUND

6.1 This building has been empty for some time and has been the subject of unauthorised entry and to fire raising. The City Engineer has had to deal with a number of safety incidents in the past. The property is in an advanced state of dereliction and is dangerous internally. The ongoing deterioration and difficulty in maintaining a secure boundary to the property is of concern to the Council and the local community. In addition, the Council own the middle flat on the ground floor but have been unable to contact the other owners with a view to having the property made safe on a permanent basis.

- 6.2 There have been difficulties obtaining details of the owners and contacting them which is not unusual for a property of this type and age. Details which have been obtained are:-

<u>10 Nelson Street</u> Upper flat	-	The representatives/Heirs of the late Mrs Bateman
<u>16 Nelson Street</u> Northwestmost groundfloor house	-	Christina Pyper Wann (address unknown)
Centre groundfloor house	-	Dundee City Council
Southeastmost groundfloor flat	-	Michael Dennis Winton some of 179 Balunie Avenue, Dundee.

- 6.3 Notices under Section 13 of the Building (Scotland) Act were served by Sheriff Officers affixing to some conspicuous part of the premises in terms of Section 192 of the Local Government (Scotland) Act 1973. The Council's intention to make an Order under Section 13 of the Building (Scotland) Act were similarly issued on 26 April 2005. The owners have failed to comply with the terms of the Notices and authority is now sought to serve an Order on the owners.

- 6.4 The City Engineer sought tenders from three contractors and these were returned as follows:-

<u>Contractor</u>	<u>Tender</u>	<u>Corrected Tender</u>
Dundee Plant Ltd	£17,320.00	£17,020.00
Trojan Contracting & DIY Ltd	£17,818.00	-
Safedem Ltd	£19,891.00	-

- 6.5 The following allowances are also required giving an overall expenditure of £24,520:

Contingencies	£3,000.00
Professional Fees	£2,000.00
Public Utilities	<u>£2,500.00</u>
Total	<u>£7,500.00</u>

- 6.6 Should the owners fail to comply with the Order, authority is sought to accept the recommended tender for demolition of the building. The Council will seek to recover all costs incurred from the owners. In the event that this cannot be achieved, the Council will serve a Compulsory Purchase Order on the site and recover its costs from the sale of the land.

7 CONSULTATIONS

- 7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

- 8.1 None.

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Ken Laing
City Engineer