

**REPORT TO: DEVELOPMENT QUALITY COMMITTEE – 25 AUGUST 2003**

**REPORT ON: NOTICE OF INTENTION TO SERVE AMENITY NOTICES**

**REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION**

**REPORT NO: 539-2003**

## **1 PURPOSE OF REPORT**

- 1.1 This report seeks the agreement of the Members to the Director of Planning and Transportation, in consultation with the Depute Chief Executive (Support Services), to serve Amenity Notices on five untidy pieces of land specified in paragraph 6.2 of this Report.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended
- a The Committee authorises the Director of Planning and Transportation to serve Amenity Notices as specified in paragraphs 6.1 of this report under the terms of Section 179 of the Town and Country Planning (Scotland) Act 1997, to allow the Council to seek the tidying up of the land.
  - b The Committee authorise action under the terms of Section 135 of the Town and Country Planning (Scotland) Act 1997 to allow the Council to enter onto land and take the necessary steps to comply with the terms of each Amenity Notice. Thereafter any expenses reasonably incurred by the Council taking such action will be recovered from the landowner.
  - c If the Council is unable to serve an Amenity Notice due to the inability to trace a lawful owner, then authority is sought to enter the land in question and carry out the necessary works to remedy the blight. The Depute Chief Executive (Support Services) also be authorised in these circumstances to investigate the feasibility of these sites being acquired through CPO powers.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 It is not presently possible to accurately estimate the costs involved, but these are considered to be relatively minor. Should any Direct Action be required, the costs can initially be met from the Planning & Transportation revenue Budget 2003/2004 and thereafter recovered from the respective landowner.

## **4 LOCAL AGENDA 21 IMPLICATIONS**

- 4.1 Action to seek the tidying of these pieces of land would be in accordance with the Council's Local Agenda 21 Policy in particular with Key Theme No 13 which exists to combine beauty with utility within places, spaces and objects.

## **5 EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1 There are no equal opportunities implications.

## **6 BACKGROUND**

- 6.1 Reference is made of Article 4 of the Minutes of the Planning and Transportation Committee 30 June 2003 (Report No 346-203) by the Director of Planning and Transportation. In recent weeks the Council has received a number of complaints concerning overgrown areas of land

in private ownership. The Committee is requested to consider how these complaints should be dealt with.

6.2 Details of the sites are as follows (location plans and photographs will be on display at Committee):

22 Strathmartine Road      The rear garden of this mainly empty tenement block has been neglected and is now badly overgrown.

225 Clepington Road      The property is derelict and fire damaged and the garden is overgrown.

125 Perth Road      The garden to the rear of this property has been neglected and is now badly overgrown.

7 Haddington Place      The gardens to the front and rear of this property have been neglected and are now badly overgrown. Bushes in the front garden are overhanging and blocking the pavement preventing use.

It is recommended that an Amenity Notice be served on the owners of these areas of land. If the terms of the Notice are not complied with, Direct Action to ensure compliance should be undertaken.

## 7 CONSULTATIONS

7.1 The Chief Executive, Depute Chief Executive (Finance), Depute Chief Executive (Support Services), and Depute 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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IGSM/LC/RJ

15 August 2003

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