

REPORT TO: DEVELOPMENT QUALITY COMMITTEE – 29 SEPTEMBER 2003

REPORT ON: NOTICE OF INTENTION TO SERVE AMENITY NOTICE

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 620-2003

1 PURPOSE OF REPORT

- 1.1 This report seeks approval for the service of an Amenity Notice on an unkempt piece of land specified in paragraph 6.2 of this report.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee authorise;
- a the Director of Planning and Transportation to serve an Amenity Notice, as specified in paragraph 6.3 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 if this notice is not complied with, 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 necessary steps to comply with the terms of the Amenity Notice. Thereafter any expenses reasonably incurred by the Council taking such action will be recovered from the landowner; and
 - c the Depute Chief Executive (Support Services) in these circumstances to investigate the feasibility of this site 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 and Transportation Revenue Budget 2003/2004 and thereafter recovered from the respective landowner.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 Action to seek the tidying up of this piece 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 The Council has received a number of complaints recently concerning an unkempt and overgrown piece of land in private ownership. This piece of land is between Alexander Street, Jamaica Street and North Wellington Street and is a former factory site. It has been subject to a previous Amenity Notice, resulting in the Council clearing the land. Once again the land has been subject to fly tipping and has deteriorated to such a condition that necessitates remedial action.

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

6.3 Given the potential for ongoing amenity issues on this neglected site, it is proposed that the potential to compulsory acquire the site be investigated.

7 CONSULTATIONS

7.1 The Chief Executive, Depute Chief Executive (Finance), Depute Chief Executive (Support Services), 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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Director of Planning & Transportation

Ian Mudie
Head of Planning Services

IGSM/DMcL/EC

4 September 2003

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