

REPORT TO: PLANNING & TRANSPORTATION COMMITTEE – 25 AUGUST 2003

REPORT ON: SUBJECTS AT EAST DOCK STREET, DUNDEE

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 514-2003

1 PURPOSE OF REPORT

- 1.1 To inform the Committee of progress on the development of the non-food Retail Warehouse Park at East Dock Street, Dundee and to seek authority to promote a Compulsory Purchase Order (CPO) to allow the scheme to be fully implemented.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee agree to promote a Compulsory Purchase Order to acquire the Subjects situated in the southwest section of the development site currently owned by Budget subject to the following:
- i J J Gallagher Ltd (the Developer) entering into a back to back agreement with the Council whereby the Developer agrees to meet all costs incurred by the Council in connection with the promotion and confirmation of the Compulsory Purchase Order, and agreeing to the conveyance of the Subjects following the CPO; and
 - ii The Developer delivers a Guarantee/Performance Bond in respect of the estimated amount of compensation and costs by a Bank or other financial institution to the Council's satisfaction.

3 FINANCIAL IMPLICATIONS

- 3.1 The Developer has agreed to take ownership of the Subjects acquired through the CPO. All costs and liabilities of the CPO including all compensation claims payable and the Council's reasonable legal expenses will be met by the Developer

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 There are no Local Agenda 21 implications of relevance to this report.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 There are no equal opportunities implications of relevance to this report.

6 BACKGROUND

- 6.1 The Committee is referred to Development Quality Committee, 27 August 2001 [Item No VIII(d)] which approved Planning Application No 01/25072/D for the development of a non-food Retail Warehouse Park and Fast Food Drive Thru' Restaurant with associated car parking at East Dock Street, Dundee and to Planning & Transportation Committee, 27 August 2001, Item No XVIII (Agenda Note).

- 6.2 The Committee noted at their meeting on 27 August 2001 that the Developer had highlighted the issue of the multiple ownership of the development site and the potential difficulties in assembling all of the necessary interests.
- 6.3 The Developer has recently advised that significant progress has been made with regard to acquiring the majority of parcels of land with the exception of the subjects owned by Budget at the southwest corner of the site (shown hatched on the plan annexed to this report) (the Subjects). The Developer advises that attempts to negotiate with Budget, including an offer of a relocation site within the immediate vicinity have all been unsuccessful.
- 6.4 The first phase of the development is completed. Budget's land is required for the provision of a significant number of car parking spaces required to service the retail units in the second phase of the development. The Subjects are an integral part of the development site and are required to secure the carrying out of the development.
- 6.5 Since negotiations between the Developer and Budget have broken down the Developer has requested that the Council promote a CPO and has agreed to meet all the costs incurred by the Council in so doing.

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 Development Quality Commentate, 27 August 2001 [Item No VIII(d)]
- 8.2 Planning & Transportation Committee, 27 August 2001, Item No XVIII (Agenda Note).

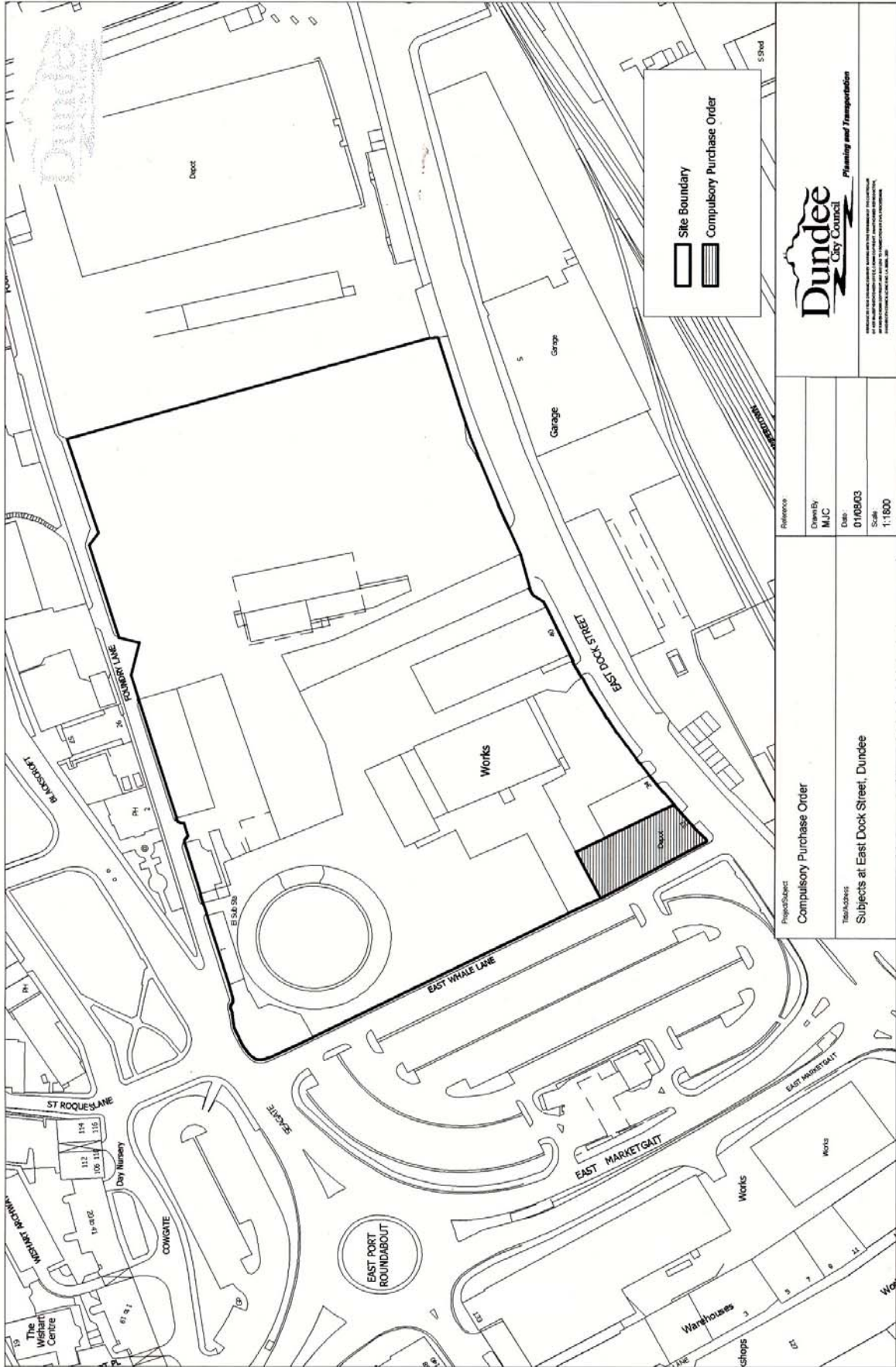
Mike Galloway
Director of Planning & Transportation

Ian Mudie
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IGSM/GSR/MS

25 July 2003

Dundee City Council
Tayside House
Dundee



Site Boundary
 Compulsory Purchase Order



Dundee City Council
 Planning and Transportation

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Reference:	
Drawn By:	MJC
Date:	01/08/03
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Project/Subject:	Compulsory Purchase Order
Topic/Issue:	Subjects at East Dock Street, Dundee