

REPORT TO: **PLANNING AND TRANSPORTATION COMMITTEE**
15 NOVEMBER 2004

REPORT ON: **PROPOSED COMPULSORY PURCHASE OF NO 28/30 NELSON STREET**
AND NO 85/89 ANN STREET

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

REPORT NO: **603-2004**

1 PURPOSE OF REPORT

- 1.1 The objective of this report is to gain approval to pursue redevelopment if necessary by compulsory purchase of numbers 28 and 30 Nelson Street and numbers 85 to 89 Ann Street for housing.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee authorise the Depute Chief Executive (Support Services) to commence the preparation of a Compulsory Purchase Order to acquire all interests at 28-30 Nelson Street and 85-89 Ann Street.

3 FINANCIAL IMPLICATION

- 3.1 The cost of purchasing the property will be met mainly from the Vacant and Derelict Land Fund and the assembled site will then be sold for housing development. A further report will be brought to Committee on the financial implications of these acquisitions.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 "Local Needs are met locally". These proposals will provide quality housing in a popular location while promoting a safe, clean and pleasant environment both for users and neighbours of the site through removal of derelict and vacant property.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 The development will support and promote the objective of Social Inclusion by the removal of environmental degradation and provision of additional housing choice.

6 BACKGROUND

- 6.1 Property at 28/30 Nelson Street and 85/89 Ann Street lay substantially vacant and in disrepair for some considerable time (30 Nelson Street is otherwise known as 87 Ann Street). Repeated fire raising resulted in emergency action being taken on 19 June 2004 by the City Engineer to demolish 28 Nelson Street under Section 13 of the Building (Scotland) Act 1959. A Dangerous Building Notice was subsequently served on the owners of 30 Nelson Street and 85/89 Ann Street also requiring demolition of these buildings. Subsequently, the City Engineer was authorised to appoint a contractor and carry out the demolition work. This was commenced on 8 October 2004. Agenda Note Item 5 was presented to The Development Quality Committee for consideration of these matters at its meetings of 30 August 2004.
- 6.2 A second Report (Number 622-2004) was presented to, and approved by Committee, at its meeting on 27 September 2004. This report sought approval for a draft development brief establishing redevelopment framework for the site. The Director of Planning and Transportation is remitted to report back on the outcome of the consultation exercise and will do so in a future report.
- 6.3 The condition of the above properties prior to the last fire had been cause for the concern to the Property and Land in Disrepair Working Group. This group was briefed by the City

Engineer on the proposed serving of Section 13 Notices and undertaking action to pursue recovery of the cost of security works previously carried out.

- 6.4 An application was then forwarded to the Scottish Executive following the announcement of a Vacant and Derelict Land Grant Fund for a package of measures in Dundee. This was subsequently approved by the Scottish Executive. The approval includes an allocation against the above properties that would assist in Compulsorily Purchasing same if this proves to be necessary.
- 6.5 Offers have been made to the owners to purchase the properties to be demolished. These have failed to reach a conclusion. In order to not have a derelict site replacing derelict buildings and to ensure a complete title to sell the site on it is necessary to promote a CPO through the Town and Country Planning (Scotland) Act 1997 Section 189.
- 6.6 Redevelopment of the resulting cleared sites would then be pursued for the provision of new housing. This would make a significant contribution to the regeneration of Hilltown and the Maxwelltown area in particular and would meet the aspirations of the developing Local Community Plan for the area.
- 6.7 Compensation will be payable in terms of the Land Compensation (Scotland) Act 1963 as amended. The cost of this compensation and associated costs will be reported to Committee once negotiations with the owners have advanced sufficiently or the District Valuer has been consulted.

7 CONSULTATIONS

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

8 BACKGROUND PAPERS

None.

Mike Galloway
Director of Planning & Transportation

Ian Mudie
Head of Planning

IGSM/AM/KM/SA/N

8 November 2004

Dundee City Council
Tayside House
Dundee