

## 21<sup>st</sup> Century Homes – Proposed Compulsory Purchase Order, North Sighthill

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**The City of Edinburgh Council**

**25 August 2011**

### **Purpose of report**

- 1 To seek Council's authorisation to make a Compulsory Purchase Order (CPO) in respect of the flatted properties at:
  - 7/1 Sighthill Bank (owner occupied)
  - 9/5 Sighthill Bank (was tenanted to Jan 2011, now owner occupied)
  - 40 Sighthill Green (owner occupier)
  - 7/10 Sighthill Wynd (landlord, no tenants)

### **Main report**

- 2 On 11 August 2011 Planning Committee a) agreed to pursue a Compulsory Purchase Order for the flats at 7/1 and 9/5 Sighthill Bank, 40 Sighthill Green and 7/10 Sighthill Wynd to allow the 21<sup>st</sup> Century Homes Development at North Sighthill to proceed and that the Head of Legal and Administrative Services be instructed to commence compulsory purchase proceedings b) noted that it is intended to submit a draft Compulsory Purchase Order to a meeting of the City of Edinburgh Council at the earliest opportunity for authority to exercise compulsory purchase powers and c) noted that the Council will continue to seek a negotiated purchase of the properties in parallel with pursuing the Compulsory Purchase Order.
- 3 A draft Compulsory Purchase Order has now been prepared, including an Order Map showing the location of the property to be acquired. A copy of the draft order is appended to this report.

### **Financial Implications**

- 4 The costs of the CPO would be met by the Council. These would include the Council's legal costs, the sums for the value of the heritable interests, plus the reasonable costs of surveyors and legal fees incurred by the owners. Provision is made for this within the budget of Services for Communities

## **Equalities Impact**

- 5 There are no adverse equality impacts arising from this report.

## **Environmental Impact**

- 6 The environmental impacts of the redevelopment of North Sighthill have been assessed prior to the submission of the planning application and no significant environmental impacts have been found.
- 7 An eco- homes excellent rating is being targeted for the Council Homes that are built as part of the 21<sup>st</sup> Century Homes for Edinburgh programme. The homes will also comply with Edinburgh Standards for Sustainable Buildings.

## **Recommendations**

- 8 That Council approve the making of The Edinburgh 7/1 and 9/5 Sighthill Bank, 40 Sighthill Green and 7/10 Sighthill Wynd Compulsory Purchase Order in terms of the draft annexed.

**Dave Anderson**  
Director of City Development

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Appendices	The draft The Edinburgh 7/1 and 9/5 Sighthill Bank, 40 Sighthill Green and 7/10 Sighthill Wynd Compulsory Purchase Order 2011 in terms of the draft annexed
Contact/tel/Email	Kevin Paterson, Senior Solicitor (529 3608); Sam Verner, Senior Project Manager (529 3432)
Wards affected	Ward 7, Sighthill/Gorgie
Single Outcome Agreement	<p><b>National Outcome 7</b> – We have tackled the significant inequalities in Scottish Society</p> <p><b>National Outcome 9</b> – We live our lives safe from crime, disorder and danger</p> <p><b>National Outcome 10</b> – We live in well-designed, sustainable places where we are able to access the amenities and services we need</p> <p><b>National Outcome 11</b> – We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others</p> <p><b>National Outcome 12</b> – We value and enjoy our built and natural environment and protect it and enhance it for future generations</p> <p><b>National Outcome 14</b> – We reduce the local and global impact of our consumption and production</p>
Background Papers	Report to Planning Committee 11 August 2011, Item 11

THE CITY OF EDINBURGH COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

and

THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947

THE EDINBURGH 7/1 AND 9/5 SIGHTHILL BANK, 40 SIGHTHILL GREEN AND 7/10  
SIGHTHILL WYND COMPULSORY PURCHASE ORDER 2011

The City of Edinburgh Council (hereinafter referred to as "the acquiring authority") in exercise of the powers conferred upon them by section 189 of the Town and Country Planning (Scotland) Act 1997, hereby make the following Compulsory Purchase Order:-

1. This Order may be cited as The Edinburgh 7/1 and 9/5 Sighthill Bank, 40 Sighthill Green and 7/10 Sighthill Wynd Compulsory Purchase Order 2011 .
2. Subject to the provisions of this Order the acquiring authority are hereby authorised to purchase compulsorily for the purpose of the land which is described in the Schedule hereto and is delineated and coloured on the two maps signed with reference to this Order and marked "Map 1, 2 referred to in The Edinburgh 7/1 and 9/5 Sighthill Bank, 40 Sighthill Green and 7/10 Sighthill Wynd Compulsory Purchase Order 2011 ".
3. In relation to the foregoing purchase section 70 of the Railways Clauses Consolidation (Scotland) Act 1845 and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923 are hereby incorporated with the enactment under which the said purchase is authorised subject to the modifications that references in the said section to the company shall be construed as references to the acquiring authority and references to the railway or works shall be construed as references to the land authorised to be purchased and any buildings or works constructed or to be constructed thereon.

I, Iain David Strachan, one of the Proper Officers of The City of Edinburgh Council sign this page together with the Schedule and Map annexed hereto as shown below.

Signature .....

Signature of Witness .....

Date When Signed .....

Full Name of Witness .....

Place Where Signed .....

Address of Witness: Waverley Court,

SCHEDULE

Number on Map	Description of the land	Owners	Lessees and occupiers
7/1 Sighthill Bank	Flatted dwellinghouse known as and numbered 7/1 Sighthill Bank more particularly described in the Feu Disposition by the City of Edinburgh District Council in favour of William Reid Tillie and Evelyn Elizabeth Tillie recorded GRD(Mid) 1 April 1981.	Avril Miller	Owner occupied
9/5 Sighthill Bank	Flatted dwellinghouse known as and numbered 9/5 Sighthill Bank more particularly described in the Feu Disposition by the City of Edinburgh District Council in favour of David Clark and Mary Clark recorded GRS(Mid) 10 December 1981.	Kenneth Barr	Owner occupied
40 Sighthill Green	Flatted dwellinghouse known as and numbered 40 Sighthill Green more particularly described in the Feu Disposition by the City of Edinburgh District Council in favour of Helen May Kelly recorded GRS(Mid) <u>13 May 1994</u>	Helen Kelly	Owner occupied
7/10 Sighthill Wynd	Flatted dwellinghouse known as and numbered 7/10 Sighthill Wynd more particularly described in the Feu Disposition by the City of Edinburgh District Council in favour of Isabella Dickson recorded GRS(Mid) 23 January 1990	Rent a Place Limited	Unoccupied

This is the Schedule to The Edinburgh 7/1 and 9/5 Sighthill Bank, 40 Sighthill Green and 7/10 Sighthill Wynd Compulsory Purchase Order 2011

Proper Officer

THE CITY OF EDINBURGH COUNCIL

TOWN AND COUNTRY PLANNING  
(SCOTLAND) ACT 1997

and

THE ACQUISITION OF LAND  
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(SCOTLAND) ACT 1947

THE EDINBURGH 7/1 AND 9/5  
SIGHTHILL BANK, 40 SIGHTHILL  
GREEN AND 7/10 SIGHTHILL WYND  
COMPULSORY  
PURCHASE ORDER 2011

HEAD OF LEGAL AND  
ADMINISTRATIVE SERVICES  
THE CITY OF EDINBURGH COUNCIL  
CITY CHAMBERS, HIGH STREET  
EDINBURGH

Sighthill Public Park



SIGHTHILL BANK

Posts

Post

Post

Car Park

Hermiston Court

Sighthill Wynd

Sighthill Wynd

Posts

SIGHTHILL GREEN

SIGHTHILL COURT

7

7/1

9

9/5

7 to 14

7/10

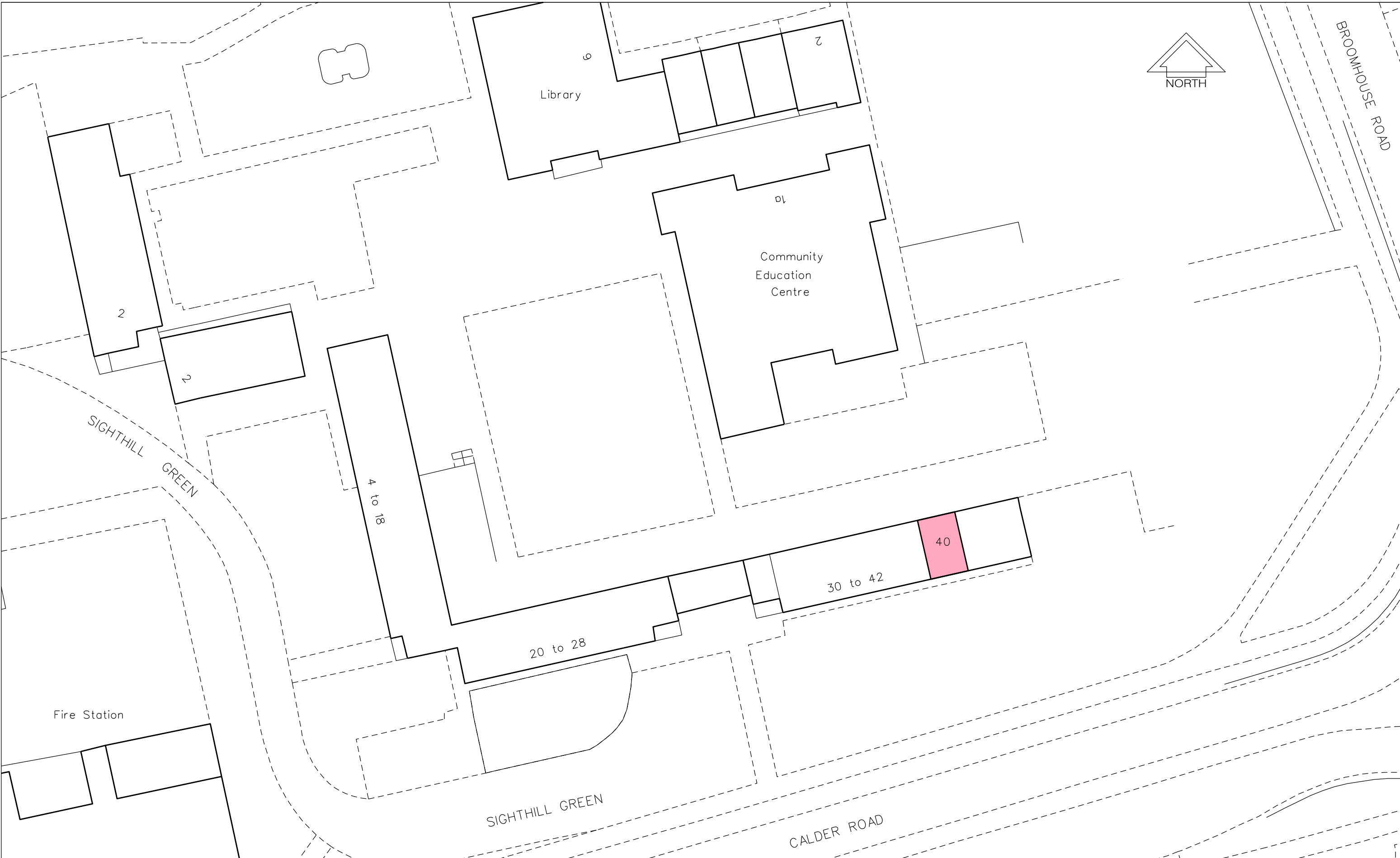
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MAP 1 REFERRED TO IN THE EDINBURGH 7/1 AND 9/5 SIGHTHILL BANK, 40 SIGHTHILL GREEN AND 7/10 SIGHTHILL WYND  
COMPULSORY PURCHASE ORDER 2011



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DATE	18/7/11
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MAP 2 REFERRED TO IN THE EDINBURGH 7/1 AND 9/5 SIGHTHILL BANK, 40 SIGHTHILL GREEN AND 7/10 SIGHTHILL WYND  
 COMPULSORY PURCHASE ORDER 2011



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