

PE1465/C

16th April 2013

Chris Hynd
Committee Assistant
Public Petitions Committee
Scottish Parliament
Edinburgh
EH99 1SP

Petition No. PE1465

Comments To Responses

Dear Chris,

I have read the responses from Falkirk Council and the Scottish Government and would like to add my comments. As I have not received a response from COSLA I cannot therefore make any comments to that department.

Replying to Falkirk Council's response, in the first two chapters of their response they refer to land covered by factoring arrangements which does not fall into the category of my petition and as such is irrelevant in this instance.

The Council's comments on the use of Section 179 Notices shows that there is insufficient or no powers within the Town and Country Planning Act for enforcement of this section of the act. With no penalties for non-compliance this makes this act useless in these circumstances. If Falkirk Council is representative of other councils I can understand their reluctance to pursue land owners when they have no back up in law. Councils need to have positive regulation in place in order to achieve satisfactory conclusions.

Falkirk Council concludes that neglected sites are a real problem for people living nearby, which is why I instigated this petition, but I dispute their comment that this is not a widespread issue. They do also seem to agree with me that this act needs to include powers of prosecution. Falkirk Council state that owners of plots of land cannot always be identified through the Land Registry yet my enquiries with the Land Registry shows that this information is available.

On four plots of land local to where I live the owners have been identified but refuse to comply with requests to tidy up their land. It would appear they are aware that there are no enforcement powers and therefore choose to ignore any request to tidy up their land.

Replying to the Scottish Government's response, they are merely stating that the Town and Country Planning Act is there to cover this issue. I reiterate, what is the point of this act without enforcement powers in place to cover Section 179.

I conclude by once again saying that this act needs to be extended to give local authorities the power to take action where the need arises.

Yours,

Tony Ivanov