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Request for full details of the compulsory purchase order which was made by City of Edinburgh Council in relation to the acquisition on 12th April 2010 of land on the south side of Ocean Drive, at numbers 31, 33 and 35 Ocean Drive, Edinburgh, for the purposes of construction of a tram line.

The names and addresses of those persons on whom notice was served intimating the council's intention to acquire the land, and the date of service of notice.

The Council lettered 315 owners, and heritable owners of the properties 31, 33, 35, 37 and 39 Ocean Drive. The information was provided within two letters, sent out by Sheriff Officers on the dates advised below.

The Compulsory Purchase Order (CPO) (via Edinburgh Tram (line One) Act 2006) associated with the above addresses relates to Plot 58 only. Whilst there were other plots within the Line of Deviation, these were not purchased by the Council (see Parliamentary Plans). We have attached copies of the statutory notices which include the date these notices were served.

The names and addresses will not be released. The disclosure of the information that is being withheld would breach the first data protection principle, that of fair processing. It would not be fair, or expected, for information which could identify individuals to be released into the public domain in response to your request.

Details of the information which was given to owners as regards the likely impact of the construction of the tram line, in particular the extent of land take involved, the proposed alterations to structures and land owned by those owners who were served, the noise and disturbance which would arise from the proposed construction works, and the noise and disturbance which would arise from the subsequent operation of the tram,

Please find copies of the following attached:

- An informal letter was sent out by 1st class post to all owners/occupiers on 30 Oct 2006.
- The 1st Statutory Notice was hand delivered to all owners/occupiers via Sheriff Officers on 28 Nov 2006.
- The 2nd Statutory Notice (GVD Notice) was hand delivered to all owners/occupiers/heritable creditors/PAPs via Sheriff Officers on 9 March 2010.
- The land vested in the Council on 9 April 2010.

The parcel of land which was Compulsorily Purchased and attached to the subject properties, known as Plot 58, extends to 177 m² (1,910 ft²) or thereby. The information regarding the preliminary Designs was contained within the Statutory Notices sent out on the dates advised above.

Any claim resulting in compensation would reflect the Market Value of the land acquired and any diminution in value as a result of the proposed scheme. Therefore "Noise and Disturbance" would be assessed as part of any CPO claim. As we did not receive any claims for these properties, we do not hold valuation information regarding the Land Value at the General Vesting Date.

Details of the negotiations which took place, and the offers of payment made, and the dates of those negotiations and offers of payment, as regards the payment to be made to owners of the land in respect of;

- the value of the land being acquired and

The CPO was a Claim Led Process, which put the onus on the Claimants (those served with the notices) to make a claim. As no claims were received, the Council did not undertake any further valuation of the said land.

In addition, amenity land is generally defined as “land attached to a residential development which has no prospect of development”, it is generally small in size. The value of this type of land is generally *de minimus* and therefore the reasonable costs associated with making a claim would outweigh the value of the land, especially where there is more than one landowner.

- compensation for the adverse impact on the amenity of those owners who would be affected by the proposed tram line construction works and the operation of the tram,

The compensation would reflect the Market Value (MV) of the land acquired and any potential diminution in value resulting from the proposed scheme. The valuation of land and compensation calculations are undertaken by a 3rd Party – The District Valuer.

In this instance, as the Council did not receive any claims, the information requested is not held. In any event, this information could not be released as I consider details of compensation to be personal data which relate to an individual. The landowners involved are entitled to maintain the confidentiality of their involvement in the process, and the privacy rights of these landowners involved outweigh the public interest in disclosing this information.

Details of objections made to the compulsory purchase order

The CPO is part of the Act of Parliament – the objections to the Act are publicly accessible at <https://archive2021.parliament.scot/parliamentarybusiness/bills/25121.aspx>

A copy of the decision of Scottish Ministers to confirm the compulsory purchase order.

The CPO is part of the Act of Parliament – it is publicly accessible at <https://www.legislation.gov.uk/asp/2006/7/contents>