

Cabinet Secretary for Communities and Local
Government
Aileen Campbell MSP



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Mr Faisal Hussein,
34 Bellfield Street,
Dundee,
DD1 5HZ

23rd November 2020

Wedderburn House, 1 Edward Street, Dundee, DD1 5NS: Asset Transfer Appeal

Dear Mr Hussein,

I refer to Yusuf Youth Initiative's application for appeal under section 85 of the Community Empowerment (Scotland) Act 2015 (the "Act") relating to the asset transfer request in respect of Wedderburn House, 1 Edward Street, Dundee, DD1 5NS from NHS Tayside made under Part 5 of the Act. In line with Scottish Government guidance, Scottish Ministers appointed an independent Reporter to consider the case and report to them.

The Reporter took account of an asset transfer request from Yusuf Youth Initiative dated 19 October 2018 and NHS Tayside's decision to refuse the request on 10 February 2020. The Reporter considered key documents associated with all aspects of this process, and assessed the request against criteria set out in section 82(3) of the Act; Scottish Government National Outcomes; best value themes; and matters relating to assessment of outcomes.

I would like to thank Yusuf Youth Initiative for providing the necessary information for the purposes of the appeal. This work has now concluded and I have been provided with the Reporter's final report of Wedderburn House, outlining their findings and conclusion.

Scottish Ministers accept and agree with the findings and recommendations of the Reporter, and for the reasons set out in their report, dismiss the appeal and refuse the asset transfer request.

I understand that you will be disappointed by this decision given the hard work and effort involved in coordinating all the required information for your application, but I hope that you have gained some positive benefits to engaging with the asset transfer request process, and that this decision does not discourage you from considering any future asset transfers.

There are other options you may wish to consider such as determining if there are any other suitable areas of land or buildings that could meet your needs and you may wish to consider registering your group's interest in these.

I note from the Reporters findings that NHS Tayside have had discussions about assisting the Yusuf Youth Initiative to work alongside the local council and health and social care partnership to find alternative accommodation. I have also noted that your group are currently meeting out with Dundee city centre which may impact some service users ability to attend and participate in the activities you provide. I have copied this letter to Bill Nicoll, Director of Strategic Change, NHS Tayside, and I ask that Mr Nicoll and colleagues at NHS Tayside work proactively with Dundee City Council, Dundee Health and Social Care Partnership, and the Yusuf Youth Initiative to find new premises within the central Dundee area. I would be grateful if you could provide me with an update when suitable accommodation is secured.

We will publish the attached report provided to Scottish Ministers by the Reporter, and this will be made publically available on the Scottish Government's Community Empowerment website within one week of the date of this letter.

Individuals unhappy with the decision made by Scottish Ministers may be able apply to the Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ for a judicial review. An application for judicial review must be sought within 3 months of the appeal decision. The Scottish Ministers decision can only be challenged on a point of law and you might want to take legal advice before considering this option. For more information on challenging decisions made by Scottish Ministers please see: <http://www.gov.scot/Topics/Built-Environment/planning/Appeals/ourperformance/commentsandcomplaints>.



Aileen Campbell
Cabinet Secretary for Communities and Local Government

Copied to:

Bill Nicoll, Director of Strategic Change, NHS Tayside