

REPORT TO: Housing Committee – 18 April 2005

REPORT ON: Housing (Scotland) Act 1987  
Section 108 – Repairs Notice  
52 Provost Road, Dundee.

REPORT BY: Director of Housing

REPORT NO.: 240-2005

**1. PURPOSE OF REPORT**

- 1.1. The purpose of this report is to seek approval for the service of a Repairs Notice on the property at 52 Provost Road, Dundee, to carry out the necessary repairs.

**2. RECOMMENDATIONS**

- 2.1. It is recommended the Committee approve the service of a Repairs Notice in terms of the Section 108 Housing (Scotland) Act 1987, with a time limit of, as nearly as may be, six months for compliance with the terms of the Notice.

- 2.2. It is further recommended that should the owners fail to comply with the terms of the Notice, the Council should consider instructing the work to be carried out in default and, if necessary, that the Director of Housing, in consultation as appropriate with the relevant departments, should appoint suitable consultants to execute the work required.

Should the works not be carried out in terms of the Repairs Notice then a further report for Committee would be brought forward to make a decision as to whether to carry the works in default.

- 2.3. Should default action be implemented, the appropriate Officers be instructed to authorise and arrange payments to the engaged consultants as appropriate.

**3. FINANCIAL IMPLICATIONS**

- 3.1. This expenditure will be funded from Revenue and is recoverable from the owners concerned. Owners will be eligible to apply for grant assistance based on two options under the new grant system. Applicants will receive a minimum percentage grant of 50% or higher percentage grant as determined by the relevant Test of Resources. Under the new system, the revised maximum approved expense limit will be £20,000 or a lower capped figure as determined by the Council.

**4. LOCAL AGENDA 21 IMPLICATIONS**

- 4.1. The recommendation within the Report will meet the Local Agenda 21 objectives by ensuring that diversity and local distinctiveness are valued and protected.

The service of this Repairs Notice will ensure that local residents are assisted to bring their homes up to a good standard of repair and, therefore, enhancing the visual image of the City.

5. **EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1. The service of the Repairs Notice will further enhance the City Council's objectives to improve the living environment of its citizens.

6. **MAIN TEXT**

- 6.1. The property at 52 Provost Road, Dundee, is situated in the Clepington (No.1F) Housing Action Area and comprises 8 flats. The Final Resolution was declared on 3 June 1988. The building is in a state of serious disrepair and mutual works are now urgently required to secure the life expectancy of the property.

The owners are in the process of appointing suitable consultants to bring forward a contract for the work.

The service of a Repairs Notice will allow Default Procedures to be implemented, if necessary, to ensure the work is undertaken.

7. **BACKGROUND PAPERS**

- 7.1. Report by Architectural Services.

**ELAINE ZWIRLIEN**  
**DIRECTOR OF HOUSING**

**MARCH 2005**