

REPORT TO: HOUSING COMMITTEE – 17 MAY 2004

**REPORT ON: HOUSING (SCOTLAND) ACT 1987
SECTION 108 – REPAIRS NOTICE
2-8 WHITEHALL CRESCENT, DUNDEE.**

REPORT BY: DIRECTOR OF HOUSING

REPORT NO.: 253-2004

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 2-8 Whitehall Crescent, Dundee, to carry out the necessary repairs. This property was the subject of a previous Repairs Notice, the purpose of this second notice being to ensure the availability of grant funding for both residential and commercial premises to deal with further water ingress which may be detrimental to the property and to previous investment.

2. RECOMMENDATIONS

- 2.1. It is recommended that 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 owners fail to comply with the terms of the Notice, the Council should instruct the work to be carried out in default and 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 do 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 of flatted dwellings and owners of commercial premises will be eligible to apply for grant assistance based on one of 2 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 recommendations within the Report will meet 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 assisting in bringing 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 of 2-8 Whitehall Crescent, Dundee, is situated within the City Centre and comprises 12 flats and 5 commercial premises.

The property is a Category "B" listed building in the Central Area Conservation Area.

There is a problem of water ingress, the source of which is not certain. The source of the problem requires to be identified and remedied as soon as possible.

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

A Repairs Notice will enable commercial premises to apply for repairs grant assistance.

7. **BACKGROUND PAPERS**

- 7.1. Report by Architectural Services.

ELAINE ZWIRLEIN
DIRECTOR OF HOUSING

March, 2004