

REPORT TO: HOUSING COMMITTEE – 22 AUGUST 2005

REPORT ON: HOUSING (SCOTLAND) ACT 1987
SECTION 108 - REPAIRS NOTICE
1-3 BANK STREET AND 38-40 REFORM STREET, DUNDEE.

REPORT BY: DIRECTOR OF HOUSING

REPORT NO.: 395-2005

1. PURPOSE OF THE REPORT

- 1.1. The purpose of the report is to seek approval for the service of a Repairs Notice on the properties at 1-3 Bank Street and 38-40 Reform Street, Dundee to carry out the necessary repairs.

2. RECOMMENDATIONS

- 2.1. It is recommended that the Committee approve the service of a Repairs Notice in terms of 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 out the works in default.

- 2.3. Should default action be implemented, the appropriate Officers be instructed to authorise and arrange payments to the 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 one of two options under the current grant system.

Applicants will receive a minimum percentage grant of 50% or higher percentage grant as determined by the relevant Test of Resources. Under this 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 assisted 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.

6. **MAIN TEXT**

- 6.1. The properties at 1-3 Bank Street and 38-40 Reform Street, Dundee, comprises five commercial premises and four flats. The building is in a poor state of disrepair and mutual works are now urgently required to secure the life expectancy of the properties.

The owners have appointed a suitable consultant and tenders have been received and reports issued to all owners in September 2004. Lack of response from two owners has prevented the Consultant from progressing towards the work commencing.

Façade Enhancement Grants have already been awarded to 38-40 Reform Street, Dundee.

In March 2005, owners were issued with a Section 13(1) Notice under the Building (Scotland) Act 1959, by the City Engineer's Department, to remind owners of their responsibility towards public safety.

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.
Report by Chief Engineer's Department.

ELAINE ZWIRLEIN
DIRECTOR OF HOUSING

JUNE, 2005