

REPORT TO: HOUSING COMMITTEE – 22 AUGUST 2005

REPORT ON: HOUSING (SCOTLAND) ACT 1987  
SECTION 108 - REPAIRS NOTICE  
2-12 CASTLE STREET AND 1A & 2 HIGH STREET,  
DUNDEE.

REPORT BY: DIRECTOR OF HOUSING

REPORT NO.: 396-2005

## **1. PURPOSE OF THE REPORT**

- 1.1. The purpose of this report is to seek agreement for the withdrawal of the Repairs Notice at 2-12 Castle Street and 2 High Street, Dundee, which was agreed by Committee on 17 May, 2004 and subsequently served on 18 June 2004, and to seek approval for the Service of a new Repairs Notice on the property listed below, to carry out the necessary repairs. This is required as a result of clarification of address and responsibility of affected properties.

1A High Street, Dundee – Kentucky Fried Chicken  
1A High Street (Chalmers Hall) – Tayside Property Management  
2 High Street – Bakers Oven (Shop)  
2 Castle Street – Braithwaites (Store)  
6 Castle Street – Braithwaites (Shop)  
6A Castle Street – Hector Russell (Kilt Shop)  
10 Castle Street – McLeish Brothers (Shop)

## **2. RECOMMENDATIONS**

- 2.1. It is recommended that the Committee agree to the withdrawal of the Repairs Notice at 2-12 Castle Street and 2 High Street, Dundee which was served on 18 June 2004.
- 2.2. It is further recommended that the Committee approve the service of a new Repairs Notice on the property at 1A and 2 High Street and 2-12 Castle Street, in terms of Section 108 Housing (Scotland) Act 1987, with a time limit of, as nearly as may be, six weeks for compliance with the terms of the Notice.
- 2.3. It is further recommended that should 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.

- 2.4. 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 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 of its citizens.

### 6. **MAIN TEXT**

- 6.1. The properties at 2-12 Castle Street and 1A and 2 High Street, Dundee, which is situated within the City Centre and will comprise four commercial premises and 14 dwelling places once the conversion has taken place.

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

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 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**

**JUNE, 2005**