

REPORT TO: HOUSING COMMITTEE – 24 OCTOBER 2005

REPORT ON: HOUSING (SCOTLAND) ACT 1987  
SECTION 108 – REPAIRS NOTICE  
1 RUSTIC PLACE, DUDHOPE STREET AND  
65, 69A & 69B CONSTITUTION ROAD, DUNDEE

REPORT BY: DIRECTOR OF HOUSING

REPORT NO: 601-2005

**1. PURPOSE OF REPORT**

- 1.1. The purpose of this report is to seek agreement for the withdrawal of the Repairs Notice at 1 Rustic Place, Dudhope Street and 69 Constitution Road, Dundee, which was agreed by Committee on 15 December 2003, and subsequently served on 10 February 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.

1 Rustic Place, Dudhope Street and 65, 69A and 69B Constitution Road, Dundee.

**2. RECOMMENDATIONS**

- 2.1. It is recommended that the Committee agree to the withdrawal of the Repairs Notice at 1 Rustic Place and 69 Constitution Road, Dundee.
- 2.2. It is further recommended that the Committee approve the service of a new Repairs Notice on the property at 1 Rustic Place, Dudhope Street, 65, 69A and 69B Constitution Road, Dundee 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 the Local Agenda 21 objective 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 property at 1 Rustic Place, Dudhope Street and 65, 69A & 69B Constitution Road, Dundee, is situated near to the City Centre and comprises 14 flats and one commercial premise.

The property is a Category 'B' listed building located in the Inner City Area.

The building is in a state of severe disrepair and mutual works are now 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.

#### **7. CONSULTATION**

The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and appropriate Chief Officers have been consulted on the content of this report.

#### **8. BACKGROUND PAPERS**

- 8.1. Survey Report by Architectural Services.

**ELAINE ZWIRLEIN**  
**DIRECTOR OF HOUSING**  
**4 OCTOBER 2005**