



The Scottish Parliament
Pàrlamaid na h-Alba

Local Government and Regeneration Committee

The Scottish Parliament's Local Government and Regeneration Committee has today, Friday 8 November 2013, launched a call for written evidence as part of its Stage 1 consideration of the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill. This Bill was introduced into the Scottish Parliament, by David Stewart MSP, on Wednesday 30 October 2013.

Organisations and individuals are invited to submit written evidence to the Committee setting out their views on the provisions of the Bill. Those submitting evidence should feel free to address any, or all, of the policy issues contained in the Bill. A copy of the Bill, and its accompanying documents, are available on the Scottish Parliament's website at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/29852.aspx>

Committee's Call for evidence

The Committee invites all interested parties to submit written evidence on the Bill, setting out your views on the provisions of the Bill. It would be helpful if written submissions could address the following questions:

1. What are the advantages and disadvantages of the proposed Bill?
2. How will the Bill resolve existing problems and improve the ability of local authorities to undertake repairs to dangerous and defective buildings?
3. Where could the initial capital, required by local authorities to undertake this work, be found?
4. Where the owner of a building is not known how, will the Bill improve on the current situation?
5. Are there any equality issues arising from the proposed Bill?
6. What are your views on a fixed period of 30 years for repayment?

How to submit your evidence

Submissions should be limited to no more than eight pages of A4. Responses should be sent, **wherever possible, electronically** and in MS Word format to the following email address: **DDbuildingsbill.lgrc@scottish.parliament.uk**

Before submitting your evidence please read the Parliament's policy on treatment of written evidence by subject and mandatory committees (see below).

Responses can also be sent by post to:

Clerk to the Local Government and Regeneration Committee
Committee Office
Room T3.40
Scottish Parliament
Edinburgh
EH99 1SP

The closing date for receipt of submissions is **6pm on Friday 31st January 2014**.

Purpose of the Bill

The Policy Memorandum which accompanies the Bill states that the principal policy objective of the Bill is to "amend the Buildings (Scotland) Act 2003 to allow local authorities to make charging orders for recovery of expenses incurred where they have carried out work to defective or dangerous buildings under various sections of that Act".

In summary, the Bill seeks to do this by:

- providing for expenses incurred by local authorities in repairing, securing or demolishing defective or dangerous buildings to be recoverable using a charging order;
- specifying what expenses may be recovered including interest on the principal sum and the costs of the work and fees associated with registering and discharging a charging order;
- setting out what must be contained in a charging order and for its registration, repayment and discharge;
- containing limited appeal rights;
- preventing the sale or transfer of land or property until the debt due has been repaid. This will be achieved by attaching a charging order, which is a form of statutory charge that attaches to land and property;
- enabling the debt due to become repayable over a fixed term of 30 years (unless repaid earlier). Failure to pay will become a matter for the civil courts in the same way as other debts can be pursued.

For further information please see the Policy Memorandum which details the provisions of the Bill in full:

http://www.scottish.parliament.uk/S4_Bills/Defective%20and%20Dangerous%20Buildings/b39s4-introd-pm.pdf

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