Consultation
Did you take part in either of the Scottish Government consultation exercises which preceded the Bill and, if so, did you comment on the financial assumptions made?
1. No

Do you believe your comments on the financial assumptions have been accurately reflected in the FM?
2. Yes

Did you have sufficient time to contribute to the consultation exercise?
3. Yes

Costs
If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the FM? If not, please provide details?
4. Yes - Although the introduction of charging orders is seen as a better alternative than already exists it should be recognised that local authorities would still require to incur costs in dealing with dangerous and defective buildings. The introduction of charging orders will improve the cost recovery options available to a local authority, although they will do little to stimulate activity generally with no access available for funding for the remedial works. Charging orders will aid the recovery of costs options available to a local authority for dangerous buildings, where the local authority has a duty to act, but they will do little to stimulate activity for defective buildings, given the lack of a statutory duty within the Act.

Do you consider that the estimated costs and savings set out in the FM and projected over 15 years for each service are reasonable and accurate?
5. Yes

If relevant, are you content that your organisation can meet the financial costs associated with the Bill which your organisation will incur? If not, how do you think these costs should be met?
6. Yes - It is recognised that local authorities would still require to incur costs in dealing with dangerous and defective buildings but the Bill provides a better alternative than already exists.
Does the FM accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

7. Yes – Although, by the very nature of the task being undertaken the costs in undertaken works to Defective and Dangerous Buildings can vary greatly each year and as such previous years data cannot always be relied on.

**Wider Issues**

**Do you believe that the FM reasonably captures costs associated with the Bill? If not, which other costs might be incurred and by whom?**

8. Yes

**Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?**

9. Within Section 46E(4) it would appear that the charging order is not transferable to a third party if the charging order is not registered, i.e. due to a quick sale of the property before the charging order is registered would result in a Local Authority being unable to raise a charging order on the property. An option to register a notice of potential liability for costs, similar to that available under the Tenements (S) Act 2004, which does not require an amount to be specified at the time of registration. If that was registered, and followed up by a charging order, that would resolve the issue. Section 46E would have to be reworded to allow for this.