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. The Council contributed to earlier consultations via Local Authority Building Standards Scotland (LABSS). No specific comments were made on the financial implications.

Do you believe your comments on the financial assumptions have been accurately reflected in the FM?
2. Not Applicable - as noted above, no specific comments were made on the financial assumptions.

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. The Council feel that the financial implications are conservative although they do seem to be based on reliable data, albeit from a limited number of local authorities. The number of 700 charging orders per year does appear to be low given the number of incidents the Council currently deals with, a significant proportion of which involve multiple owners.

5. The FM states that the intention is to place no significant new burdens or duties on local authorities and that the focus is about increasing the ability to recover costs more easily.

6. To that end, the costs identified per order are not unreasonable – however, it is not the administrative burden that is the issue, it is the capital works. If more work is carried out in advance of the order put in place, then the Council will incur greater costs. These costs should be offset by the recovery. However, there are two issues – there is still the potential that the recovery is not made, but more likely, even if the recovery is made, there is concern about when - it may be in 30 years time.

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?
7. As mentioned above, associated costs and savings indicated are believed to be optimistic.
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?

8. With regards to dangerous buildings which involve a strict duty on the Council to act, financial costs will continue to be met and recovered as required.

9. In terms of defective buildings, where action continues to be discretionary, the move to a more ‘proactive’ approach by councils will only be likely if a support mechanism, both in monetary terms and expertise, and sufficient resources are made available. Again, it should be noted that whilst the administrative burden would be greater, and the costs of capital works also increased, this should be mitigated by the charging order. However, the issue is whether this order is then paid and when.

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?

10. As mentioned previously, estimates are felt to be conservative. However, should be recoverable from owners.

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?

11. As noted previously, the Bill expands the cost recovery ability of the Council in terms of defective buildings. If the Council therefore uses its discretion to use these new cost recovery powers, particularly relating to defective buildings, then the cost burden on the Council could be significant given the initial capital costs required. However, the ability to recover these costs would be the reason for the initial choice to carry out the works.

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?

12. The Council is unaware of any further costs.