



DEFECTIVE BUILDING NOTICE

Building (Scotland) Act 2003

Notice under Sections 28 requiring owner to rectify defects

To

Name :	Address:
Mr K Preston	152 Main Street, Thornton, KY1 4AH
As owner of	
68 Stirling Street, Alva, Clackmannanshire, FK12 5EA	
If the recipient of this document is not the owner of the premises concerned, this document must be forwarded to the owner without delay	
<p>It appearing to Clackmannanshire Council that the above building has defects that require to be rectified in order to bring the building into a reasonable state of repair having regard to its age, type and location, the Council therefore require that the defects specified below are rectified. The defects are: -</p> <ol style="list-style-type: none"> 1. The fire protection to the separating floor between the ground floor and first floor properties has been damaged/removed. 2. The notching of the first floor joist at the new water tank installation at the rear of the property is unsatisfactory. 3. The fire protection and support to the first floor at the new steel beam appears to be inadequate. 	
<p>The following steps must be taken to secure compliance with this notice:-</p> <ol style="list-style-type: none"> 1. The separating floor construction to be repaired to ensure that a minimum of 1 hour's fire resistance is provided between the properties. 2. Structural engineer's details and recommendation to be provided for repair/replacement of the floor joist for approval by the Local Authority prior to work commencing on site. 3. a. Structural engineer's report and recommendations for any remedial work to the support at the first floor at the steel beam to be provided to the Local Authority for approval prior to work commencing on site. <ol style="list-style-type: none"> b. The steel beam to be provided with a minimum of 1 hour's fire resistance. 	
A completion certificate certifying that the work has been done in accordance with the notice must be submitted to the Local Authority	

Notice given:

This notice requires the owner to begin the work specified in this notice by-	Date:	20 Aug 07
And to complete the work in compliance with this notice by (see Note 2)	Date:	15 Oct 07
Signed: _____ for Clackmannanshire Council	Date:	26 Sep 07

This Notice has also been sent to:

Mr Paul Hepburn, Scottish Co-op, Robert Owen House, 87-97 Bath Street, Glasgow, G2 2EE

It may be appropriate for you to provide this Authority with a copy of your title deeds for the above premises in order that all associated costs can be allocated appropriately. Once I am in receipt of the final accounts for the completed works, the owners shall be invoiced for their proportion of costs involved.

NOTES:

1. The completion certificate must be submitted by the relevant person as defined by the Building (Scotland) Act, that is :
 - a. Where the work was carried out, or the conversion made, otherwise than on behalf of another person, the person who carried out the work or made the conversion.
 - b. Where the work was carried out, or the conversion made, by a person on behalf of another person, that other person.
 - c. If the owner of the building does not fall within paragraph (a) or (b) and the person required by these paragraphs to submit the completion certificate has failed to do so, the owner
2. The first date must be a date not less than 7 days after the date of service of the notice and the second date must be not less than 21 days after the first date. Where, however, this notice requires an application for a building warrant for work required to comply with this notice to be made, then later dates may be substituted if, by the first date, the owner has applied for such building warrant. There are 21 days permitted for an appeal against this notice and later dates may be substituted where there is an appeal until the appeal is withdrawn or finally determined.

WARNING

If you fail to carry out the work specified in this notice you may be guilty of an offence under the Building (Scotland) Act 2003 and liable on summary conviction to a fine not exceeding level 5 on the standards scale. In addition, the local authority may carry out the work itself and claim from you as a debt any expenses reasonably incurred by it in doing so.

ADDRESS TO WHICH YOU SHOULD SEND ANY CORRESPONDENCE

**TEAM LEADER - BUILDING STANDARDS
CLACKMANNANSHIRE COUNCIL
KILNCRAIGS
GREENSIDE STREET
ALLOA FK10 1EB**

E mail: buildingstandards@clacks.gov.uk

Telephone 01259 450000