

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 21 NOVEMBER 2023

REVOCATION OF CLOSING ORDER

REPORT BY ALISON SMITH, DIRECTOR VIBRANT COMMUNITIES AND SUSTIANABLE GROWTH

ABSTRACT

To seek approval to revoke a Closing Order in relation to part of a building which now meets the Tolerable Standard. The Title search during a private sale has flagged that the Closing Order remains in place. It is the role of the Council to revoke this Closing Order upon a satisfactory inspection. This has been carried out.

1. RECOMMENDATION

It is recommended that the Committee agree to make an order revoking a Closing Order on the property at 74 High Street, Montrose.

2. ALIGNMENT TO THE COUNCIL PLAN

The contents of this report contribute to the following priorities set out in the Angus Council Plan 2025 to 2028:

CARING FOR OUR PLACE

- ensure the provision of new houses in Angus
- ensure that our housing estate is well maintained and invest in improvement

3. BACKGROUND

- 3.1 Section 116 of The Housing (Scotland) Act 1987 makes provision for the Local Authority to revoke a Closing Order, if the authority is satisfied that, following works, the property meets the Tolerable Standard.
- 3.2 A Closing Order was made by Angus District Council on 18 October 1977 in respect of the building known as 74 High Street, Montrose, DD10 8JF.
- 3.3 The premises was extensively renovated in 2015/16 (LISTED BUILDING CONSENT APPROVAL REFERENCE: 15/00960/LBC). The renovation included 74 High Street and the shop on the ground floor 76 High Street.

4. FINDINGS OF THE TOLERABLE STANDARD INSPECTION

- 4.1 The fact that this Closing order is still extant was brought to our attention due to the proposed sale of 74 High Street, Montrose, DD10 8JF.
- 4.2 Applications for the revocation of the outstanding Closing Order specified was received from the current owner and the property has been inspected by an Environmental Health Officer on the 10 November 2023. As a result, officers can confirm that 74 High Street, Montrose, DD10 8JF has undergone significant renovation and now complies with the Tolerable Standard.

5. PROPOSALS

- 5.1 Section 116 of the Housing (Scotland) Act 1987 clearly states that the Local Authority can only revoke a Closing Order where the property meets the Tolerable Standard, which 74 High Street, Montrose, DD10 8JF now does.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising as a result of this report.

7. OTHER IMPLICATIONS

- 7.1 It has been assessed that the Order recommended in the report complies with the Human Rights Act 1998 and that there are no other human rights or equalities implications attached to this report.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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