

BUILDING (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT - AN OVERVIEW

Part 4: Defective and Dangerous Buildings

Section 29: Dangerous buildings

93. This section places duties on a local authority where it appears to it that a building presents a danger to people in or about that building, to the public generally, or to adjacent buildings or places. Under *subsection (2)* the authority must carry out work to prevent access to the dangerous building and adjacent places and to protect the public. *Subsections (3) and (4)* give a local authority power, where it considers that urgent action is necessary to remove or reduce a danger, to carry out the necessary work, including demolition. In cases of urgency, the subsection recognises that it may not be possible to give prior notice to the owner.
94. *Subsection (5)* provides that a local authority does not require a building warrant for work carried out in relation to dangerous buildings under subsections (2) and (3) but must register in the building standards register a completion certificate certifying that the work has been carried out.
95. Unless work carried out under subsection (3) removes the danger, the local authority must serve a dangerous building notice on the owner (*subsection (6)*).