1962 No. 1021

HOUSING, ENGLAND AND WALES

The Housing (Prescribed Forms) (Amendment) Regulations 1962

Made - - - -	15*th May* 1962
Laid before Parliament	23*rd May* 1962
Coming into Operation	24*th May* 1962

The Minister of Housing and Local Government, in exercise of his powers under section 178 of the Housing Act 1957(a) as extended by virtue of section 28 (2) of the Housing Act 1961(b), and in exercise of all other powers enabling him in that behalf, hereby makes the following regulations :—

1.—(1) These regulations may be cited as the Housing (Prescribed Forms) (Amendment) Regulations 1962 and shall come into operation on 24th May 1962.

(2) The Housing (Prescribed Forms) Regulations 1957 and 1959 and these regulations may be cited together as the Housing (Prescribed Forms) Regulations 1957 to 1962.

2.—(1) In these regulations—

(*a*) " the principal regulations " means the Housing (Prescribed Forms) Regulations 1957(c) as amended by the Housing (Prescribed Forms) (Amendment) Regulations 1959(d) ;

(*b*) a form referred to by number in Part I of the schedule to these regulations is the form so numbered in the principal regulations.

(2) The Interpretation Act 1889(e) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. Schedule 2 to the principal regulations shall be amended in the manner specified in Part I of the schedule to these regulations and there shall be added to the said schedule 2 the forms set out in Part II of the schedule to these regulations.

4. The list of forms contained in Part II of the schedule to these regulations shall be added to the list in schedule 1 to the principal regulations.

5. The forms added by these regulations, or forms substantially to the like effect, shall be the forms to be used for the purposes of Part II of the Housing Act 1961.

6. Nothing herein shall affect the validity of any order, notice, advertisement or other document made or used in a form prescribed by the principal regulations before the coming into operation of these regulations.

(a) 5 & 6 Eliz. 2. c. 56. (b) 9 & 10 Eliz. 2. c. 65. (c) S.I. 1957/1842 (1957 I, p. 1090).
(d) S.I. 1959/1400 (1959 I, p. 1442). (e) 52 & 53 Vict. c. 63.

SCHEDULE

PART I

Form No. 3 shall cease to have effect.

In Form No. 4, for the last paragraph of the notes, there shall be substituted the following paragraph:—

"If no appeal is brought within the 21 days referred to above this notice will become operative. If this notice becomes operative and a person commits such an offence as is mentioned in this notice, he will be liable on summary conviction—

(*a*) to a fine not exceeding £20 if he has not previously been convicted of an offence under section 90 of the Housing Act 1957, or an offence under section 19 (10) of the Housing Act 1961; or

(*b*) if he has previously been convicted of an offence under either of those provisions, to imprisonment for a term not exceeding 3 months, or to a fine not exceeding £100, or to both.".

In Form No. 7—

(*a*) in the sixth paragraph of the notes, after the words "If the owner of the house to which this order relates" there shall be inserted the words "or any other person who in the opinion of the local authority is or will be in a position to put his proposals into effect", and for the words "in order that he" there shall be substituted the words "in order that the person submitting the proposals";

(*b*) after the said sixth paragraph of the notes there shall be inserted the following paragraph:—

"If the owner of the house to which this order relates, or any other person who has an interest in the house, submits proposals to the local authority for the use of the house for a purpose other than human habitation, the local authority may, if they think fit, determine the order and substitute a closing order.";

(*c*) in the seventh paragraph of the notes the words "on a monthly or lesser tenancy or a statutory tenant" shall be omitted;

(*d*) in the eighth paragraph of the notes, for the words "in accordance with section 30 of the Housing Act, 1957", there shall be substituted the words "under section 30 of the Housing Act 1957, calculated in accordance with Part I of the second schedule to the Act. The amount of this payment cannot be more than the amount (if any) by which the full value of the house would exceed the site value.".

In Form No. 11—

(*a*) at the end of the fifth paragraph of the notes the following sentence shall be added:—

"The compensation payable, however, will not in any event exceed the amount of compensation which would have been payable in respect of the house if it had been compulsorily purchased otherwise than at site value.";

(*b*) in the sixth paragraph of the notes the words "on a monthly or lesser tenancy or a statutory tenant" shall be omitted;

(*c*) in the seventh paragraph of the notes, for the words "in accordance with section 30 of the Housing Act 1957" there shall be substituted the words "under section 30 of the Housing Act, 1957, calculated in accordance with Part I of the second schedule to the Act. The amount of this payment cannot be more than the amount (if any) by which the full value of the house would exceed the site value".

In Form No. 14—

(*a*) in the ninth paragraph of the notes the words "on a monthly or lesser tenancy or a statutory tenant" shall be omitted;

(*b*) in the tenth paragraph of the notes, for the words "in accordance with section 30 of the Housing Act, 1957" there shall be substituted the words "under section 30 of the Housing Act 1957, calculated in accordance with Part I of the second schedule to the Act. The amount of this payment cannot be more than the amount (if any) by which the full value of the house would exceed the site value";

(*c*) in the said tenth paragraph, for the words "see the seventh and eighth paragraphs of these Notes" there shall be substituted the words "see the fifth and sixth paragraphs of these Notes".

In Form No. 17 for the first sentence of the fourth paragraph of the notes there shall be substituted the following:—

"If the order is confirmed and the Minister of Housing and Local Government is satisfied that a house to which the order will apply has, notwithstanding its unfitness, been well maintained, he may direct the local authority to make a payment in accordance with section 60 of the Housing Act 1957. The amount of any such payment, which will be calculated in accordance with the provisions of Part I of the second schedule to the Act, cannot in any event be more than the amount (if any) by which the full value of the house would exceed the site value.".

In Form No. 19 for the first sentence of the third paragraph of the notes there shall be substituted the following:—

"If the order is confirmed and the Minister of Housing and Local Government is satisfied that a house to which the order will apply has, notwithstanding its unfitness, been well maintained, he may direct the local authority to make a payment in accordance with section 60 of the Housing Act 1957. The amount of any such payment, which will be calculated in accordance with the provisions of Part I of the second schedule to the Act, cannot in any event be more than the amount (if any) by which the full value of the house would exceed the site value.".

In Form No. 24 article 2 (*b*) (which incorporates the Acquisition of Land (Assessment of Compensation) Act 1919)(a) shall be omitted.

In Form No. 26—

(*a*) at the end of the fifth paragraph of the notes, after the words "for the time being in force in the district.", the following sentence shall be added:—

"The compensation payable, however, will not in any event exceed the amount of compensation which would have been payable in respect of the house if it had been compulsorily purchased otherwise than at site value and if the area had not been declared to be a clearance area.";

(*b*) for the first sentence of the sixth paragraph of the notes there shall be substituted the following:—

"If the Minister of Housing and Local Government is satisfied that a house on land to which the order will apply has, notwithstanding its unfitness, been well maintained he may on confirming the order direct the local authority to make a payment in accordance with section 60 of the Housing Act 1957. The amount of any such payment, which will be calculated in accordance with Part I of the second schedule to the Act, cannot in any event be more than the amount (if any) by which the full value of the house would exceed the site value.".

In Form No. 28 article 2 (*b*) (which incorporates the Acquisition of Land (Assessment of Compensation) Act 1919) shall be omitted.

In Form No. 32—

(*a*) for the words "Town and Country Planning Act, 1959"(b) in the title there shall be substituted the words "Land Compensation Act 1961"(c);

(a) 9 & 10 Geo. 5. c. 57. (b) 7 & 8 Eliz. 2. c. 53. (c) 9 & 10 Eliz. 2. c. 33.

(*b*) for the words "paragraph 2 of Part I of the Second Schedule to the Town and Country Planning Act, 1959" in the form and in the first footnote thereto there shall be substituted the words "paragraph 2 of the second schedule to the Land Compensation Act 1961".

In Form No. 33—

(*a*) for the words "Town and Country Planning Act, 1959" in the title there shall be substituted the words "Land Compensation Act 1961";

(*b*) for the words "paragraph 2 of Part I of the Second Schedule to the Town and Country Planning Act, 1959" in paragraph (1) there shall be substituted the words "paragraph 2 of the second schedule to the Land Compensation Act 1961";

(*c*) for the words "paragraph 2 (1) of Part I of the Second Schedule to the Town and Country Planning Act, 1959" in the first footnote and in the second paragraph of the notes there shall be substituted the words "paragraph 2 (1) of the second schedule to the Land Compensation Act 1961";

(*d*) for the words "paragraph 2 (2) (*b*) of Part I of the said Second Schedule" in the second paragraph of the notes, there shall be substituted the words "paragraph 2 (2) (*b*) of the said second schedule";

(*e*) at the end of the second paragraph of the notes the following sentence shall be added:—

"The compensation payable, however, will not in any event exceed the amount of compensation which would have been payable in respect of the house if it had been compulsorily purchased otherwise than at site value.";

(*f*) after the first sentence of the third paragraph of the notes the following sentence shall be added:—

"The amount of any such payment, which will be calculated in accordance with the provisions of Part I of the second schedule to that Act, cannot in any event be more than the amount (if any) by which the full value of the house would exceed the site value.";

(*g*) in the last sentence of the third paragraph of the notes the words "on a monthly or lesser tenancy or a statutory tenant" shall be omitted.

PART II

Form No.

34. Notice of intention to make an order applying management regulations to premises in multiple occupation.

35. Order applying management regulations to premises in multiple occupation.

36. Notice requiring execution of works to make good neglect of proper standards of management.

37. Notice requiring execution of works to render premises reasonably suitable for occupation by the persons or households occupying them.

38. Notice requiring the provision of satisfactory means of escape from fire in a house in multiple occupation.

39. Notice of intention to give a direction to prevent or reduce overcrowding in a house in multiple occupation.

40. Direction to prevent or reduce overcrowding in a house in multiple occupation.

41. Revocation or variation of a direction to prevent or reduce overcrowding in a house in multiple occupation.

42. Notice requiring information in connection with a house in respect of which a direction under section 19 (1) of the Housing Act 1961 is in force.

43. Order excluding buildings from a clearance area and modifying or revoking a clearance order.
44. Advertisement of making of an order excluding buildings from a clearance area and modifying or revoking a clearance order.
45. Personal notice of making of an order excluding buildings from a clearance area and modifying or revoking a clearance order.
46. Advertisement and personal notice of confirmation by the Minister of Housing and Local Government of an order excluding buildings from a clearance area and modifying or revoking a clearance order.
47. Notice of re-imposition of obligations under a clearance order.
48. Closing order substituted for demolition order in respect of a house.

FORM No. 34

HOUSING ACT 1961

Section 12.

NOTICE OF INTENTION TO MAKE AN ORDER APPLYING MANAGEMENT REGULATIONS TO PREMISES IN MULTIPLE OCCUPATION

*Name and address of owner or lessee. To be omitted from copy of notice posted in the premises.

To* of

Notice is hereby given that:—

Whereas it appears to the Council that †, being a [house which, or a part of which, is let in lodgings or which is occupied by members of more than one family] [building which is not a house but comprises separate dwellings, two or more of which do not have a sanitary convenience and personal washing facilities accessible only to those living in the dwelling] [building which is not a house but comprises separate dwellings, two or more of which are wholly or partly let in lodgings or occupied by members of more than one family], is in an unsatisfactory state in consequence of failure to maintain proper standards of management and, accordingly, that it is necessary that regulations made under section 13 of the Housing Act 1961 should apply thereto;

†Address of premises.

Strike out words in square brackets if inapplicable.

Therefore the Council propose after the day of 19 ‡ to make an order under section 12 of the said Act directing that such regulations shall apply to the said [house] [building].

‡Insert date not less than 21 days after service and posting of this notice in the premises.

Any representation by an owner or lessee of the premises with respect to the Council's proposal to make such order, submitted by the said day of 19 ‡ will be taken into consideration. Representations should be in writing and addressed to

Dated this day of 19 .

Signed

Clerk of the Local Authority.

NOTES

The regulations which will apply to the premises if the proposed order is made are the Housing (Management of Houses in Multiple Occupation) Regulations 1962 (S.I. 1962/668). Printed copies of the regulations may be purchased directly from H.M. Stationery Office or through any bookseller, or may be inspected at the offices of the Council.

Under the regulations duties of management are imposed on "the manager", i.e. the owner or lessee of the premises who is receiving the rents from tenants of parts of the premises or from lodgers, and his agent or trustee (if any) through whom he receives the rents. These duties are, broadly, to ensure the good order, repair and (as appropriate) cleanliness of the following:—

means of water supply and drainage;

lighting and heating installations;

rooms, and installations for sanitation and cooking, in common use:

other parts of the premises in common use, e.g. halls, staircases and passageways;

windows and other means of ventilation;

means of escape from fire;

common outbuildings, yards, gardens, etc.

The manager is also given certain responsibilities as respects the condition of rooms let to tenants or lodgers as living accommodation, the disposal of refuse and litter, and the taking of reasonable precautions to protect tenants and lodgers from dangers resulting from structural conditions in the premises.

By virtue of section 13 (4) of the Act, offenders against the regulations are liable to a fine and, on a second or subsequent offence, to imprisonment.

For the purposes of these provisions the term "lessee" includes (by virtue of section 23 (7) of the Act) an underlessee, tenant, person interested under an agreement for a lease, underlease or tenancy, and a statutory tenant under the Rent Acts.

FORM NO. 35

HOUSING ACT 1961

ORDER APPLYING MANAGEMENT REGULATIONS TO PREMISES IN MULTIPLE OCCUPATION

Section 12.

Whereas it appears to the Council that *, being a [house which, or part of which, is let in lodgings or which is occupied by members of more than one family] [building which is not a house but comprises separate dwellings, two or more of which do not have a sanitary convenience and personal washing facilities accessible only to those living in the dwelling] [building which is not a house but comprises separate dwellings, two or more of which are wholly or partly let in lodgings or occupied by members of more than one family], is in an unsatisfactory state in consequence of failure to maintain proper standards of management and, accordingly, that it is necessary that regulations made under section 13 of the Housing Act 1961 should apply thereto;

*Insert address of premises.

Strike out words in square brackets if inapplicable.

Now Therefore the Council in pursuance of section 12 (1) of the Housing Act 1961 do by this order direct that the Housing (Management of Houses in Multiple Occupation) Regulations 1962 shall apply to the said [house] [building].

The common seal of the Council was hereunto affixed this day of 19 in the presence of

NOTES

This order comes into operation on the date on which it is made. A person on whom a copy of the order is served and any other person who is a lessee of the premises may, within 21 days from that date, appeal against it to a magistrates' court on the ground that the making of the order was unnecessary. If the Court allows the appeal it will revoke the

order, but such revocation will not affect the operation of the order up to the time of revocation nor prejudice the making of a further order by the Council.

A person who has an estate or interest in the premises (including a statutory tenant) may apply to the Council for revocation of the order. If the Council refuse or fail to deal with the application, the applicant may appeal to a magistrates' court, and the court may revoke the order if of opinion that there has been a substantial change in circumstances since the making of the order and that it is just to do so.

Printed copies of the Housing (Management of Houses in Multiple Occupation) Regulations 1962 (S.I. 1962/668) may be purchased directly from H.M. Stationery Office or through any bookseller, or may be inspected at the offices of the Council.

Under the regulations duties of management are imposed on "the manager", i.e. the owner or lessee of the premises who is receiving the rents from tenants of parts of the premises or from lodgers, and his agent or trustee (if any) through whom he receives the rents. These duties are, broadly, to ensure the good order, repair and (as appropriate) cleanliness of the following:—

means of water supply and drainage;

lighting and heating installations;

rooms, and installations for sanitation and cooking, in common use;

other parts of the premises in common use, e.g. halls, staircases and passageways;

windows and other means of ventilation;

means of escape from fire;

common outbuildings, yards, gardens, etc.

The manager is also given certain responsibilities as respects the condition of rooms let to tenants or lodgers as living accommodation, the disposal of refuse and litter, and the taking of reasonable precautions to protect tenants and lodgers from dangers resulting from structural conditions in the premises.

The regulations entitle the Council to certain information from persons who have an interest in the premises. In particular an owner or lessee of the premises who receives rents (including payments in the nature of rents) from tenants of parts of the premises or from lodgers is required, on being served with a copy of the order (and without waiting for any further notice), to provide the Council with the following information in writing:—

(*a*) *his name and address,*

(*b*) *particulars of his estate or interest in the premises,*

(*c*) *particulars sufficient to show what parts of the premises are let to the tenants or lodgers from whom he receives rents, and*

(*d*) *the name and address of any agent or trustee through whom he receives such rents.*

The above information should be sent (or handed in at the following address) as soon as possible and should be addressed to:—

By virtue of section 13 (4) of the Act, offenders against the regulations are liable to a fine and, on a second or subsequent offence, to imprisonment.

For the purposes of these provisions the term "lessee" includes (by virtue of section 23 (7) of the Act) an underlessee, tenant, person interested under an agreement for a lease, underlease or tenancy, and a statutory tenant under the Rent Acts.

FORM No. 36

HOUSING ACT 1961

NOTICE REQUIRING EXECUTION OF WORKS TO MAKE GOOD NEGLECT OF PROPER STANDARDS OF MANAGEMENT — Section 14.

To of
being manager(1) of *

*Insert address of premises.

Take Notice that—

(1) in the opinion of the Council the condition of the above-mentioned premises, to which the Housing (Management of Houses in Multiple Occupation) Regulations 1962 apply by virtue of an order of the Council made on the day of 19 is defective in consequence of neglect to comply with the requirements imposed by the said regulations or, in so far as any period before the said† day of 19 is concerned, neglect to comply with standards corresponding to the requirements imposed by the said regulations;

†Insert date of the Council's order.

(2) in the opinion of the Council the works specified in the schedule to this notice are required to make good the said neglect;

(3) in pursuance of section 14 (1) of the Housing Act 1961 the Council require you within a period of ‡ days from the date of this notice to execute the said works.

‡The time allowed should be reasonable and must in any event not be less than 21 days from service of this notice.

(1) *"Manager" means an owner or lessee (including a tenant) of the premises who receives rents or other payments from tenants of parts of the premises or from lodgers, and his agent or trustee (if any) through whom he receives such rents or other payments.*

SCHEDULE

SPECIFICATION OF WORKS

(Insert detailed specification of works to be executed.)

Dated this day of 19 .

Signed

Clerk of the Local Authority.

NOTES

A person on whom this notice is served may appeal against it to a magistrates' court. The appeal must be brought within 21 days after the date of service of this notice (or such longer period as the Council may in writing allow) and may be brought on any of the following grounds which are appropriate in the circumstances of the particular case:—

(*a*) that the condition of the house did not justify the Council in requiring the execution of the works specified;

(*b*) that there has been some informality, defect or error in, or in connection with, the notice;

(*c*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works which are required to be executed are otherwise unreasonable in character or extent, or are unnecessary;

(*d*) that the time within which the works are to be executed is not reasonably sufficient for the purpose;

(*e*) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate or interest in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.

An appeal, in so far as it is based on a ground specified in sub-paragraph (*b*) above, will be dismissed if the court is satisfied that the informality, defect or error was not a material one.

Where the grounds upon which an appeal is brought include a ground set out in sub-paragraph (*e*) above, the appellant is required by section 14 (7) of the Act to serve a copy of his notice of appeal on each of the persons referred to by him. On the hearing of the appeal the court has power to make such order as it thinks fit with respect to the payment to be made by any such person to the appellant or, if the work is executed by the Council, to the Council.

The period stated in this notice within which the works are to be executed may, if the Council think fit, be extended from time to time by the Council's written permission.

If the works specified in this notice are not executed by the person on whom it is served within the period, or extended period, specified by the Council (or, where the notice has been confirmed with or without variation by the court on appeal, within 21 days from the final determination of the appeal or such longer period as the court may, in determining the appeal, fix) or if the person on whom this notice is served notifies the Council, before the expiration of the time allowed, that he does not intend to do the work in question, the Council have power themselves to carry out the work required by the notice (with any variation made by the court) and (subject to the terms of any order of the court referred to in the third paragraph of these Notes) to recover any expenses reasonably incurred by them in so doing from the person on whom the notice was served or, if he was only properly served with the notice as being an agent or trustee for some other person, partly from him and partly from that other person. If, however, the person on whom notice is served can prove that the notice was only properly served on him as being an agent or trustee for some other person and that he has not, and, since the date of service on him by the Council of a demand for payment, has not had in his hands on behalf of that other person sufficient money to discharge the whole demand of the Council his liability will be limited to the total amount of the money which he has, or has had, in his hands as aforesaid.

FORM No. 37

HOUSING ACT 1961

Section 15.

NOTICE REQUIRING EXECUTION OF WORKS TO RENDER PREMISES REASONABLY SUITABLE FOR OCCUPATION BY THE PERSONS OR HOUSEHOLDS OCCUPYING THEM

To of , being [the person having control of* the premises known as] [a person to whom the premises known as are let at a rackrent] [a person who, as the agent or trustee of a person to whom the premises known as are let at a rackrent, receives rents or other payments from tenants of parts of the premises or from lodgers therein].

*See section 15 (1) of the Housing Act 1961 and section 39 (2) of the Housing Act 1957.

Take Notice that:—

(1) in the opinion of the Council the above-mentioned premises, being a [house which, or a part of which, is let in lodgings or which is occupied by members of more than one family] [building which is not a house but comprises separate dwellings, two or more of which do not have a sanitary convenience and personal washing facilities accessible only to those living in the dwelling] [building which is not a house but comprises separate dwellings, two or more of which are wholly or partly let in lodgings or occupied by members of more than one family], are so far defective with respect to the matters set out in the first schedule to this notice, having regard to the number of individuals or households (or both) accommodated for the time being therein, as not to be reasonably suitable for occupation by those individuals or households;

Strike out words in square brackets if inapplicable.

(2) the works specified in the second schedule to this notice are, in the opinion of the Council, required to render the premises reasonably suitable for such occupation;

(3) the Council, in pursuance of section 15 (1) of the Housing Act 1961 require you within a period of †[days] [weeks] from the date of this notice to execute the said works.

†The time allowed should be reasonable, and must in any event be not less than 21 days from service of this notice.

First Schedule

Description of Defects

[*Insert one or more of the following headings, as appropriate, with description of defects thereunder:—*

natural and artificial lighting,

ventilation,

water supply,

personal washing facilities,

drainage and sanitary conveniences,

facilities for the storage, preparation and cooking of food, and for the disposal of waste water,

installations for space heating or for the use of space heating appliances.]

Second Schedule

Specification of Works

[*Insert detailed specification of works to be executed.*]

Dated this day of 19 .

Signed

Clerk of the Local Authority.

Notes

A person on whom this notice is served may appeal against it to a County Court. The appeal must be brought within 21 days after the date of the service of this notice (or such longer period as the Council may in writing allow) to the County Court within the jurisdiction of which the offices of the Council are situated and may be brought on any of the following grounds which are appropriate in the circumstances of the particular case:—

(*a*) that the condition of the house did not justify the Council, having regard to the considerations set out in paragraph (1) of the notice, in requiring the execution of the works specified in the notice;

(*b*) that there has been some informality, defect or error in, or in connection with, the notice;

(*c*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary;

(*d*) that the time within which the works are to be executed is not reasonably sufficient for the purpose;

(*e*) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate or interest in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.

The County Court Rules provide that an appeal shall be brought by requesting the Registrar of the County Court having jurisdiction in the matter to enter the appeal. A copy of this notice must at the same time be filed in the Court office together with an additional copy of the request to the Registrar for service on the Council. In addition, if the grounds on which the appeal is based include that specified in paragraph (*e*) above, every person concerned must be given notice of the appeal. The appellant may ensure that this is done by joining such persons as respondents to the appeal.

The County Court Rules further provide that the request to the Registrar for entry of the appeal shall be in accordance with the form prescribed by the Rules, with such variations as the circumstances may require.

An appeal, in so far as it is based on a ground specified in paragraph (*b*) above, will be dismissed if the Court is satisfied that the informality, defect or error was not a material one.

Where the grounds upon which an appeal is brought include a ground specified in paragraph (*e*) above, the Court, if satisfied that any other person referred to in the notice of appeal has had proper notice of the appeal, may on the hearing of the appeal make such order as it thinks fit with respect to the payment to be made by such other person to the appellant or, where the work is done by the Council, to the Council.

If, on the hearing of an appeal, the Court is satisfied that the number of persons living in the house has been reduced and that adequate steps have been taken (either by the exercise by the Council of their powers under Part II of the Housing Act 1961 or otherwise) to prevent that number being again increased, the Court may if it thinks fit revoke the notice or vary the list of works specified in it.

The period stated in this notice within which the works are to be executed may, if the Council think fit, be extended from time to time by written permission of the Council.

If, after service of this notice, the Council are satisfied that the number of individuals living on the premises has been reduced to a level which will make the works specified in the notice unnecessary and that, either in consequence of the exercise by the Council of their statutory powers under Part II of the Housing Act 1961 to limit the number of persons living on the premises or otherwise, that number will be maintained at or below that level they may withdraw the notice, but such withdrawal will not prejudice the issue of a further notice.

If the works specified in this notice are not executed by the person on whom it is served within the period, or extended period, specified by the

Council (or, where the notice has been confirmed with or without variation by the Court on appeal, within a period of 21 days from the final determination of the appeal or such longer period as the Court may, in determining the appeal, fix), or if the person on whom this notice is served notifies the Council, before the expiration of the time allowed, that he does not intend to do the works in question, the Council have power themselves to do the work required to be done by the notice (with any variation made by the Court) and (subject to the terms of any order of the Court referred to in the fifth paragraph of these Notes) to recover any expenses reasonably incurred by them from the person on whom the notice was served or, if that person was only properly served with the notice as being an agent or trustee for some other person, partly from him and partly from that other person. If, however, the person on whom notice is served can prove that the notice was only properly served on him as being an agent or trustee for some other person and that he has not, and, since the date of service on him by the Council of a demand for payment, has not had in his hands on behalf of that other person sufficient money to discharge the whole demand of the Council his liability will be limited to the total amount of the money which he has, or has had, in his hands as aforesaid.

FORM No. 38

HOUSING ACT 1961

NOTICE REQUIRING THE PROVISION OF SATISFACTORY MEANS OF ESCAPE FROM FIRE IN A HOUSE IN MULTIPLE OCCUPATION

Section 16.

To of

being [the person having control of* the house known as]
[a person to whom the house known as
is let at a rackrent] [a person who, as the agent or trustee of a person to whom the house known as
is let at a rackrent, receives rents or other payments from tenants of parts of the house or from lodgers in the house].

*See section 15 (1) of the Housing Act 1961 and section 39 (2) of the Housing Act 1957.

Strike out words in square brackets if inapplicable.

Take Notice that:—

(1) it appears to the Council that the above-mentioned house, being a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family, is not provided with such means of escape from fire as the Council consider necessary;

(2) in the opinion of the Council the works specified in the schedule to this notice are required to provide such means of escape;

(3) the Council, in pursuance of section 16 (1) of the Housing Act 1961 require you within a period of † [days] [weeks] from the date of this notice to execute the said works.

†The time allowed should be reasonable, and must in any event not be less than 21 days from service of this notice.

SCHEDULE

SPECIFICATION OF WORKS

(Insert detailed specification of works to be executed.)

Dated this day of 19 .

Signed

Clerk of the Local Authority.

NOTES

A person on whom this notice is served may appeal against it to a County Court. The appeal must be brought within 21 days from the service of this notice (or such longer period as the Council may in writing allow) to the County Court within the jurisdiction of which the offices of the Council are situated and may be brought on any of the following grounds which are appropriate in the circumstances of the particular case:—

(*a*) that the notice is not justified by the terms of section 16 of the Housing Act 1961;

(*b*) that there has been some informality, defect or error in, or in connection with, the notice;

(*c*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary;

(*d*) that the time within which the works are to be executed is not reasonably sufficient for the purpose;

(*e*) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate or interest in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.

The County Court Rules provide that an appeal shall be brought by requesting the Registrar of the County Court having jurisdiction in the matter to enter the appeal. A copy of this notice must at the same time be filed in the Court office together with an additional copy of the reques. to the Registrar for service on the Council. In addition, if the grounds on which the appeal is based include that specified in sub-paragraph (*e*) above, every person concerned must be given notice of the appeal. The appellant may ensure that this is done by joining such persons as respondents to the appeal.

The County Court Rules further provide that the request to the Registrar for entry of the appeal shall be in accordance with the form prescribed by the Rules, with such variations as the circumstances may require.

An appeal, in so far as it is based on a ground specified in sub-paragraph (*b*) above, will be dismissed, if the Court is satisfied that the informality, defect or error was not a material one.

Where the grounds upon which an appeal is brought include a ground specified in sub-paragraph (*e*) above, the Court, if satisfied that any other person referred to in the notice of appeal has had proper notice of the appeal, may on the hearing of the appeal make such order as it thinks fit with respect to the payment to be made by such other person to the appellant or, where the work is done by the Council, to the Council.

The period stated in this notice within which the works are to be executed may, if the Council think fit, be extended from time to time by written permission of the Council.

If the works specified in this notice are not executed by the person on whom it is served within the period, or extended period, specified by the Council (or, where there has been an appeal against the notice and the notice has been confirmed with or without variation, within a period of 21 days from the final determination of the appeal or within such longer period as the Court may, in determining the appeal, fix), or if the person

on whom this notice is served notifies the Council, before the expiration of the time allowed that he does not intend to do the works in question, the Council have power themselves to do the work required to be done by the notice (with any variation made by the Court) and (subject to the terms of any order of the Court referred to in the fifth paragraph to these Notes) to recover any expenses reasonably incurred by them from the person on whom the notice was served or, if that person was only properly served with the notice as being an agent or trustee for some other person, partly from him and partly from that other person. If, however, the person on whom notice is served can prove that the notice was only properly served on him as being an agent or trustee for some other person and that he has not, and, since the date of service on him by the Council of a demand for payment, has not had in his hands on behalf of that other person sufficient money to discharge the whole demand of the Council his liability will be limited to the total amount of the money which he has, or has had, in his hands as aforesaid.

FORM No. 39

HOUSING ACT 1961

NOTICE OF INTENTION TO GIVE A DIRECTION TO PREVENT OR REDUCE OVERCROWDING IN A HOUSE IN MULTIPLE OCCUPATION

Section 19.

*[To of being [owner] [lessee] of the house known as].

*To be omitted from copy of notice posted in the house.

Notice is hereby given with respect to the [above-mentioned] house [known as] that for the purpose of [preventing the occurrence of] [remedying] a state of affairs calling for the service of a notice under section 15 of the Housing Act 1961 (hereinafter called "the Act") the Council propose, in pursuance of their powers under section 19 (1) of the Act, to fix the number[s] specified in the schedule to this notice as the highest number[s] of individuals who should, having regard to the considerations set out in section 15 (1) of the Act, live in the [house] [part[s] of the house specified in the said schedule] in [its] [their] existing condition, and to give a direction applying [that limit] [those limits] accordingly.

Strike out words in square brackets if inapplicable.

Any representation with respect to this proposal, submitted by an owner or lessee of the house before the† day of 19 . will be taken into consideration. Representations should be in writing and addressed to

†Insert date not less than 7 days after service and posting of notice on the premises.

SCHEDULE

[Maximum number for the house]

[Part of the house	Maximum number]

Dated this day of 19 .

Signed

Clerk of the Local Authority.

NOTES

Section 15 (1) of the Housing Act 1961 provides that if the condition of a house which, or part of which, is let in lodgings, or which is occupied by members of more than one family is in the opinion of the local authority so far defective with respect to any of the following matters, namely, natural and artificial lighting, ventilation, water supply, personal washing facilities, drainage and sanitary conveniences, facilities for the storage, preparation and cooking of food and for the disposal of waste water, or installations for space heating or for the use of space heating appliances, having regard to the number of individuals or households, or both, accommodated for the time being on the premises, as not to be reasonably suitable for occupation by them, the Council may serve a notice requiring the execution of such works as they consider necessary to render the premises suitable for such occupation.

The proposed direction, if given by the Council, will limit the number of persons who may live in the premises to which it relates and will have effect so as to make it the duty of the occupier for the time being of the premises (i.e. the house or part of the house) to which it relates—

(*a*) not to permit any individual to take up residence so as to increase the number of individuals living in the premises to a number above the limit specified; and

(*b*) where the number of individuals living in the premises is at the time of the giving of the direction above the limit specified, and any individual ceases to reside there, not to permit any other individual to take up residence in the premises.

A person who fails to comply with these requirements is liable to a fine and, in the case of a second or subsequent offence, imprisonment.

FORM NO. 40

HOUSING ACT 1961

Section 19.

DIRECTION TO PREVENT OR REDUCE OVERCROWDING IN A HOUSE IN MULTIPLE OCCUPATION

Strike out words in square brackets if inapplicable.

Whereas the Council, being of opinion that for the purpose of [preventing the occurrence of] [remedying] a state of affairs calling for the service with respect to the house known as , of a notice under section 15 of the Housing Act 1961 (hereinafter called "the Act"), they should exercise their powers under section 19 (1) of the Act, and that the number[s] specified in the schedule hereto [is] [are] the highest number[s] of individuals who should, having regard to the considerations set out in section 15 (1) of the Act, live in the [house] [part[s] of the house specified in the said schedule] in [its] [their] existing condition;

And Whereas the Council have accordingly fixed the number[s] so specified as the limit[s] for the said [house] [part[s] of the house]:

Now Therefore the Council, in pursuance of their powers and for the purpose aforesaid, hereby direct that the limit[s] so fixed and specified in the schedule hereto shall apply to the [house] [part[s] of the house as therein specified].

SCHEDULE

[Maximum number for the house]

[Part of the house	Maximum number]

The common seal of the Council was hereunto affixed this

day of 19 , in the presence of

NOTES

This direction limits the number of persons who may live in the premises to which it relates, with a view to preventing the necessity for the serving of a notice (or, where a notice has already been served, a further notice) under section 15 (1) of the Housing Act 1961. A notice under that section may require works to be executed in a house in multiple occupation to make good deficiencies in any of the matters set out in that section (namely, lighting, ventilation, water supply, washing facilities, drainage, sanitation, cooking and food storage facilities, disposal of waste water or heating) which in the opinion of the Council, having regard to the number of occupants, render the house not reasonably suitable for occupation by those occupants.

This direction has effect so as to make it the duty of the occupier for the time being of the premises (i.e. the house or part of the house) to which it relates—

(*a*) not to permit any individual to take up residence in the premises so as to increase the number of individuals living there to a number above the limit specified ; and

(*b*) where the number of individuals living in the premises is at the time of the giving of the direction above the limit specified, and any individual ceases to reside there, not to permit any other individual to take up residence in the premises.

If any person knowingly fails to comply with these requirements he will be guilty of an offence under section 19 (10) of the Housing Act 1961 and will be liable on summary conviction to a fine not exceeding £20 if he has not previously been convicted of an offence under that subsection or an offence under section 90 of the Housing Act 1957, or, if he has been previously convicted of such an offence, to imprisonment for a term not exceeding three months or to a fine not exceeding £100 or to both.

On the application of any person who has an estate or interest in the house (including a statutory tenant), the Council have power at any time, having regard to any works which have been executed in the house, or any other change of circumstances, to revoke this direction or vary it so as to allow more people to be accommodated in the house. If the Council refuse such an application, or do not notify the applicant of their decision within 35 days from the date when the application is made, or within such further period as the applicant may in writing allow, he may appeal to the County Court within the jurisdiction of which the offices of the Council are situated. On appeal, the Court has power to revoke this direction or vary it in any manner in which it might have been varied by the Council.

FORM No. 41

HOUSING ACT 1961

Section 19.

REVOCATION OR VARIATION OF A DIRECTION TO PREVENT OR REDUCE OVERCROWDING IN A HOUSE IN MULTIPLE OCCUPATION

Strike out words in square brackets if inapplicable.

Whereas the Council on the day of , 19 , gave a direction under section 19 (1) of the Housing Act 1961 with respect to [the house] [part[s] of the house] known as ;

And Whereas a person having an estate or interest in the house has applied to the Council for [revocation] [variation] of that direction, and the Council, having regard to [works which have been executed in the house] [a change of circumstances], are of opinion that the direction should be [revoked] [varied so as to allow more people to be accommodated in the house];

Now Therefore the Council, in pursuance of their powers under section 19 (7) of the Housing Act 1961, hereby [revoke the said direction] [vary the said direction by the substitution for the limit[s] specified therein of the limit[s] specified in the schedule hereto in respect of the [said house] [part[s] of the said house specified in the said schedule]].

[SCHEDULE

[New maximum number for the house]

[Part of the house New maximum number]]

The common seal of the Council was hereunto affixed this day of 19 , in the presence of

FORM No. 42

HOUSING ACT 1961

Section 19.

NOTICE REQUIRING INFORMATION IN CONNECTION WITH A HOUSE IN RESPECT OF WHICH A DIRECTION UNDER SECTION 19 (1) OF THE HOUSING ACT 1961 IS IN FORCE

Strike out words in square brackets if inapplicable.

To of being the occupier of [the house] [a part, namely , of the house] known as in respect of which a direction made by the Council under section 19 (1) of the Housing Act 1961 is in force.

Take Notice that, in pursuance of their powers under section 19 (9) of the Housing Act 1961 the Council hereby require you to furnish them within seven days of the service of this notice with a statement in writing giving the following particulars:—*

*Delete any particulars which are not required.

(*a*) the number of individuals living in the above mentioned [house] [part of the house] on the day of 19 ;

(*b*) the number of families or households to which those individuals belong;

(*c*) the names of those individuals, indicating, in the case of members of a family or household, which of them is the head of that family or household; and

(*d*) the rooms used by those individuals and families or households respectively.

Dated this day of 19 .

Signed

Clerk of the Local Authority.

NOTES

The statement required by this notice should be addressed to:

If the person on whom this notice is served fails to furnish the required information within the period stated in the notice or furnishes a statement which to his knowledge is false in any material particular he will be liable on summary conviction to a fine not exceeding £20.

FORM No. 43

HOUSING ACT 1961

ORDER EXCLUDING BUILDINGS FROM A CLEARANCE AREA AND MODIFYING OR REVOKING A CLEARANCE ORDER

Section 24.

Whereas the Council are satisfied that the buildings specified in [Part I of] the schedule to this order, being buildings comprised in the Clearance Order 19 which was confirmed by the Minister of Housing and Local Government on the day of 19 , have been, or will if excluded from the relevant clearance area be, made fit for human habitation as specified in [that Part of] the said schedule;

Strike out words in square brackets if inapplicable.

[And Whereas it appears to the Council that the buildings specified in Part II of the said schedule (being buildings which were properly included in the clearance area only on the ground that by reason of their bad arrangement in relation to other buildings, or the narrowness or bad arrangement of the streets, they are dangerous or injurious to the health of the inhabitants of the area, and which have not been included in a clearance order or compulsory purchase order under Part III of the Housing Act 1957) would not have been included in the clearance area but for the inclusion therein of the premises specified in Part I of the said schedule;]

*[And Whereas the Council are satisfied that they can effectively fulfil their duties under Part III of the Housing Act 1957 as regards land remaining in the clearance area after this order comes into force;]

*This recital is not required where the order applies to all the land in the clearance area.

Now Therefore the Council, in pursuance of their powers under section 24 of the Housing Act 1961 hereby order as follows:—

1. The buildings in the area delineated and shown coloured pink on the map marked "Map referred to in the Clearance Order 19 [Modification] [Revocation] Order 19 " (hereinafter called "the map") which are specified in [Part I of] the schedule to this order and shown hatched brown on the map [and the buildings which are specified in Part II of the schedule to this order and delineated and shown coloured blue and hatched brown on the map] shall be excluded from the clearance area which is delineated and edged red on the map.

2. The Clearance Order 19 (which relates to the area coloured pink on the map) is hereby [revoked] [modified by the exclusion therefrom of the buildings specified in [Part I of] the schedule hereto].

3. This order may be cited as the Clearance Order 19 [Modification] [Revocation] Order 19

SCHEDULE

Reference number on map (1)	Description of buildings (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (5)	Grounds for exclusion* (6)
		[PART I BUILDINGS INCLUDED IN THE CLEARANCE ORDER]			
		[PART II BUILDINGS NOT INCLUDED IN THE CLEARANCE ORDER]			
(1)	(2)	(3)	(4)	(5)	

*Insert words "Has been made fit" or "Will be made fit" as appropriate. Where the relevant premises are a building part only of which is constructed or adapted as, or for the purposes of, a dwelling, the above words should be prefaced by the words "Dwelling part . . ."

The common seal of the Council was hereunto affixed this day of 19 , in the presence of

FORM No. 44

HOUSING ACT 1961

ADVERTISEMENT OF MAKING OF AN ORDER EXCLUDING PREMISES FROM A CLEARANCE AREA AND MODIFYING OR REVOKING A CLEARANCE ORDER

Section 24 and paragraph 2 (1) (*a*) of schedule 3.

Notice is hereby given that the Council in pursuance of their powers under section 24 of the Housing Act 1961 on the day of 19 , made the Clearance Order 19 [Modification] [Revocation] Order 19 which is about to be submitted to the Minister of Housing and Local Government for confirmation, ordering the exclusion of the buildings specified in the schedule hereto from the clearance area in which they are situated and the consequential [modification] [revocation] of the Clearance Order 19 .

Strike out words in square brackets if inapplicable.

Copies of the said Clearance Order 19 [Modification] [Revocation] Order 19 and of the map referred to therein have been deposited at

and may be seen at all reasonable hours.

SCHEDULE

Dated this day of 19 .

Signed

Clerk of the Local Authority.

FORM No. 45

HOUSING ACT 1961

PERSONAL NOTICE OF MAKING OF AN ORDER EXCLUDING BUILDINGS FROM A CLEARANCE AREA AND MODIFYING OR REVOKING A CLEARANCE ORDER

Section 24 and paragraphs 2 (1) (*b*) and 2 (2) of schedule 3.

To of

Take Notice that—

(1) the Council, in pursuance of their powers under section 24 of the Housing Act 1961, on the day of 19 made the Clearance Order 19 [Modification] [Revocation] Order 19 (hereinafter called "the order") which is about to be submitted to the Minister of Housing and Local Government for confirmation, ordering:—

(*a*) the exclusion of the buildings described in [Parts I and II of] the schedule to this notice from the clearance area in which they are situated, and

(*b*) the [revocation] [modification, by the exclusion therefrom of the buildings described in [Part I of] the schedule to this notice,] of the Clearance Order 19 which was confirmed by the Minister of Housing and Local Government on the day of 19 ;

Strike out words in square brackets if inapplicable.

(2) the following provisions of Part II of schedule 3 to the Housing Act 1961 came into effect for the purposes of the order on the said * day of 19 :—

*Insert date on which the order was made.

†[*Paragraph* 4, by virtue of which certain obligations and rights with respect to vacation and demolition of buildings subject to a clearance order cease to apply (except in the cases mentioned in paragraphs 7 and 8 of the said schedule) on the date on which an order relating to those buildings is made under section 24 of the Housing Act 1961 ;]

†Omit sub-paragraph where demolition of every building to be excluded from the Clearance Order is postponed under section 46 of the Housing Act 1957.

Paragraph 6, which suspends as from the said date the right to any payment under section 60 or section 61 of the Housing Act 1957 as respects buildings comprised in the order made under section 24 of the Housing Act 1961 ;

(3) copies of the order and of the map referred to therein have been deposited at
and may be seen at all reasonable hours ;

(4) the building[s] to which the order relates in which you are interested as [owner] [occupier] [is] [are]

(5) any objection to the order, stating the grounds of the objection, must be made in writing to the Minister of Housing and Local Government, Whitehall, London, S.W.1, before the * day of , 19 .

*A reasonable period should be allowed, and in any case not less than 14 days from the date of service of this notice.

SCHEDULE

[PART I—BUILDINGS INCLUDED IN THE CLEARANCE ORDER

PART II—BUILDINGS NOT INCLUDED IN THE CLEARANCE ORDER]

Dated this day of 19 .

Signed

Clerk of the Local Authority.

NOTES

If no objection is duly made by any of the persons upon whom notices are required to be served, or if all objections are withdrawn, the Minister may, if he thinks fit, confirm the order with or without modification ; but in any other case he is required, before confirming the order, to cause a public local inquiry to be held, or to afford the objector an opportunity of appearing before and being heard by a person appointed for the purpose, and to consider any objection not withdrawn and the report of the person who held the inquiry or the person appointed to hear the objector, and he may then confirm the order with or without modification.

If the order is confirmed by the Minister of Housing and Local Government it will become operative immediately.

Paragraph 4 in Part II of schedule 3 to the Housing Act 1961 is in the following terms:—

"4.—(1) On the date on which an order is made under the principal section [*i.e. section 24 of the Act*], subsection (3) of section 44 of the principal Act [*i.e. the Housing Act 1957*] (which makes it the duty of the owner of a building to demolish it) shall cease to apply to the houses and other buildings comprised in the order under the principal section.

"(2) On the said date—

(*a*) so much of the clearance order as relates to the vacation of buildings, and

(*b*) subsections (2), (3) and (4) of section 45 of the principal Act (which relate to the recovery of possession), and

(*c*) any notice served under the said section 45, shall cease to apply to the houses and other buildings comprised in the order under the principal section."

The paragraph does not apply to a house the demolition of which is postponed under section 46 of the Act of 1957; and sub-paragraph (2) does not apply to a house as respects which a licence is in force under section 53 of that Act (paragraphs 7 and 8 of the schedule).

If the order to which this notice relates does not become operative with respect to a building (either because it is not confirmed or is confirmed with modifications) the Council will notify any owner of the building of the fresh date fixed for vacation and the provisions of sections 44 and 45 of the Housing Act 1957 will again apply. And in that event the right to any payment in respect of the building under section 60 or section 61 of the Act of 1957 (suspended on the making of the order by paragraph 6 of schedule 3 to the Act of 1961) will revive.

FORM No. 46

HOUSING ACT 1961

ADVERTISEMENT AND PERSONAL NOTICE OF CONFIRMATION BY THE MINISTER OF HOUSING AND LOCAL GOVERNMENT OF AN ORDER EXCLUDING BUILDINGS FROM A CLEARANCE AREA AND MODIFYING OR REVOKING A CLEARANCE ORDER.

Section 24 and paragraph 3 (5) of schedule 3.

To* of .

*Name and address of owner or other person having an interest in the house or building (to be omitted from advertisement).

Notice is hereby given that the Minister of Housing and Local Government, in pursuance of the powers vested in him by the Housing Act 1961, on the day of 19 confirmed [with modifications] the Clearance Order 19 [Modification] [Revocation] Order 19 made by the Council under section 24 of the said Act on the day of 19 , ordering:—

(*a*) the exclusion from the Clearance Area of the buildings described in [Parts I and II of] the schedule to this notice; and

(*b*) the [revocation] [modification, by the exclusion of the buildings described in [Part I of] the schedule to this notice,] of the Clearance Order 19 which was confirmed by the Minister of Housing and Local Government on the day of 19 .

Strike out words in square brackets if inapplicable.

Copies of the confirmed order and of the map referred to therein have been deposited at , and may be seen at all reasonable hours.

SCHEDULE

[PART I. BUILDINGS INCLUDED IN THE CLEARANCE ORDER
PART II. BUILDINGS NOT INCLUDED IN THE CLEARANCE ORDER]

Dated this day of 19 .

Signed

Clerk of the Local Authority.

FORM No. 47

Section 24 and paragraph 5 (3) of schedule 3.

HOUSING ACT 1961

NOTICE OF RE-IMPOSITION OF OBLIGATIONS UNDER A CLEARANCE ORDER

To , being the owner of

Take Notice that—

(1) the Clearance Order 19 [Modification] [Revocation] Order 19 made by the Council under section 24 of the Housing Act 1961 on the day of 19 , [has not been confirmed by the Minister of Housing and Local Government and accordingly the above-named building[s]] [as confirmed with modifications by the Minister of Housing and Local Government on the day of 19 , does not comprise the above-named building[s] which accordingly] remain[s] subject to the Clearance Order 19 which was confirmed by the Minister on the day of 19 ;

Strike out words in square brackets if inapplicable.

(2) in pursuance of paragraph 5 of schedule 3 to the said Act the Council have fixed [the* day of 19 ,] [the dates* specified in the schedule hereto] as the date[s] by which [each of] the above-mentioned building[s] [is] [are respectively] to be vacated for the purposes of demolition, and the provisions of sections 44 and 45 of the Housing Act 1957, will accordingly apply to [that] [those] building[s] as if [that] [those] date[s] had been fixed for those purposes by the said clearance order;

*Insert date[s] not less than 28 days after the date of service of this notice.

(3) you are accordingly required, by the terms of section 44 (3) of the said Act as applied by the said paragraph 5, to demolish [each of] the said building[s] before the expiration of six weeks from the [said* day of 19 ,] [the date specified in relation thereto in the schedule to this notice] or, if it is not vacated on that date, before the expiration of six weeks from the date on which it is vacated or, in either case, before the expiration of such longer period as in the circumstances the Council may deem reasonable.

*Insert date given in paragraph (2) of this notice.

[SCHEDULE

Description of building	Vacation date]

Dated this day of 19 .

Signed

Clerk of the Local Authority.

FORM No. 48

HOUSING ACT 1961

Section 26.

CLOSING ORDER SUBSTITUTED FOR DEMOLITION ORDER IN RESPECT OF A HOUSE

Whereas the Council on the day of 19 made a demolition order under section 17 of the Housing Act 1957 for the demolition of the house known as which order became operative on the day of 19 ;

And Whereas proposals for the use of the said house for purposes other than human habitation have been submitted to the Council by a person who has an interest therein, and the Council think fit to substitute a closing order;

Now Therefore the Council in pursuance of section 26 of the Housing Act 1961 hereby order as follows:—

(1) The said demolition order made by the Council on the day of 19 is hereby determined;

(2) The use of the above-mentioned house for any purpose other than a purpose approved by the Council is prohibited;

(3) The Council hereby approve the following purpose[s], namely

The common seal of the Council was hereunto affixed this day of 19 , in the presence of

NOTES

A person aggrieved by this order may appeal against it to the County Court. The appeal must be brought within 21 days after the date of the service of the order to the County Court within the jurisdiction of which the house is situated, and if an appeal is brought, no proceedings may be taken by the Council to enforce the order until the appeal has been finally determined or withdrawn. An appeal cannot be brought by a person who is in occupation of the house under a lease or agreement the unexpired term of which does not exceed three years.

This order will become operative 21 days after the date of the service of the order unless an appeal has been brought against it. If an appeal is brought the order will not become operative until the appeal is finally determined or withdrawn.

After this order has become operative, the Council must not unreasonably refuse their approval of a proposed use of the house to which it relates, and a person aggrieved by a refusal may within 21 days after the refusal appeal to the County Court within the jurisdiction of which the house is situated.

The Council must determine this order if at any time after it has become operative they are satisfied that the house to which it relates has been rendered fit for human habitation. A person aggrieved by their refusal to determine the order (except a person in occupation of the house under a lease or agreement of which the unexpired term does not exceed three years) may appeal to the County Court.

The County Court Rules provide that an appeal shall be brought by requesting the Registrar of the County Court having jurisdiction in the matter to enter the appeal. A copy of this order (and in the case of a refusal a copy of the refusal) must at the same time be filed in the Court Office together with an additional copy of the request to the Registrar for service on the Council.

The County Court Rules further provide that the request to the Registrar for entry of the appeal shall be in accordance with the form prescribed by the Rules, with such variations as the circumstances may require.

This order may at any time be revoked by the Council, who may then make a further demolition order in respect of the house without prior notice. A copy of any such order made will be served upon interested persons.

A person who, knowing that this order has become operative, uses the house to which it relates in contravention of the terms of this order, or permits it to be so used, is liable on summary conviction to a fine not

exceeding £20 and to a further fine of £5 for every day or part of a day on which he so uses it, or permits it to be so used, after conviction.

Given under the official seal of the Minister of Housing and Local Government on 15th May 1962.

(L.S.)

Charles Hill,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations amend the Housing (Prescribed Forms) Regulations 1957, as amended by the Housing (Prescribed Forms) Regulations 1959, by (*a*) making alterations in some of the forms, and notes to forms, scheduled to those regulations, and (*b*) adding new forms prescribed for the purposes of Part II of the Housing Act 1961 (which amends and is to be construed as one with the Housing Act 1957).

The alterations to existing forms are specified in Part I of the schedule to the regulations. The cancellation of Form 3, the alteration to Form 4 and the first two alterations to Form 7 take account of amendments of the principal Act by the Act of 1961 (cf. sections 23 (9), 20, 25 and 26 respectively of the latter Act). The other alterations are not called for by any changes of substance in the law: some are formal alterations consequential on the enactment of the Land Compensation Act 1961, others are designed to clarify and improve existing notes to forms.

Of the additional forms of orders, directions and notices set out in Part II of the schedule, the first nine are for use in putting into effect the provisions of sections 12 to 23 of the Housing Act 1961, which relate to houses in multiple occupation. The remaining six forms are for the purposes of sections 24 to 26, which provide for the reprieve of condemned houses from demolition in certain circumstances.