1965 No. 98

HOUSING, ENGLAND AND WALES

The Housing (Prescribed Forms) (Amendment) Regulations 1965

Made - - - -	*26th January* 1965
Laid before Parliament	*4th February* 1965
Coming into Operation	*18th February* 1965

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 sections 44(4) and 91(5) of the Housing Act 1964(c), 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 1965 and shall come into operation on 18th February 1965.

(2) The Housing (Prescribed Forms) Regulations 1957 to 1962 and these regulations may be cited together as the Housing (Prescribed Forms) Regulations 1957 to 1965.

2.—(1) In these regulations—

(*a*) "the principal regulations" means the Housing (Prescribed Forms) Regulations 1957(d) as amended(e);

(*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(f) 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 forms to be used for the appropriate purposes of Part II of the Housing Act 1961 and of Parts II and IV of the Housing Act 1964.

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) 1964 c. 56.
(d) S.I. 1957/1842 (1957 I, p. 1090).
(e) The amending instruments are S.I. 1959/1400, 1962/1021 (1959 I, p. 1442; 1962 II, p. 1176).
(f) 52 & 53 Vict. c. 63.

SCHEDULE

PART I

In Forms Nos. 34 *and* 35—

(*a*) in the recital after the words "[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]" there shall be inserted the words "[tenement block within the meaning of section 69 of the Housing Act 1964, one or more of the dwellings in which were, on 13th November 1963, without one or more of the standard amenities]";

(*b*) in the forms, after the words "the said [house] [building]" there shall be inserted the words "[tenement block]".

In Forms Nos. 36, 37 *and* 38—

(*a*) in the last paragraph of the notes—

(i) for the words "does not intend" there shall be substituted the words "is not able";

(ii) for the words "21 days" there shall be substituted the words "28 days";

(*b*) at the end of the notes there shall be inserted the following additional paragraph:—

"A person on whom this notice is served who wilfully fails to carry out the required works within the period mentioned in the Note above may, under section 65 of the Housing Act 1964 be liable to a fine and, on a second or subsequent offence, to imprisonment. This is so whether or not the Council themselves carry out the work in default, unless the person served has notified them that he is unable to do the work and they have served notice on him relieving him from liability to penalty. Where a company or other corporate body is convicted, any director, manager, secretary or other similar officer or person purporting to act as such may also be punished on account of his consent, connivance or neglect in relation to the offence. If the occupier prevents the owner, or if either the occupier or owner prevents the Council, from carrying into effect the provisions of this notice, the Magistrates, under section 161 of the Housing Act 1957 as applied by section 66 of the Housing Act 1964 may order him, under penalty for disobedience, to desist from obstruction.".

In Form No. 37—

(*a*) at the end of paragraph (2) for the words "for such occupation" there shall be substituted the words "[for such occupation]‡ [for occupation by . . . [individuals] [households]]";

(*b*) by paragraph (2) there shall be added the following marginal note—
"‡See section 67(1) and (4) of the Housing Act 1964.";

(*c*) at the end of the first paragraph of the notes there shall be inserted the following additional sub-paragraph:—

"(*f*) that if any number of individuals or households, smaller than the number accommodated for the time being on the premises, has been specified under paragraph 2 of this notice, the number so specified is unreasonably low.".

In Forms Nos. 39 *and* 40, for the words "in [its] [their] existing condition" there shall be substituted the words "[in [its] [their] existing condition] [being [a number] [numbers] adopted by the Council following

upon and in reference to the requirements of a notice served by the Council in respect of the house under the said section 15 on . . .] ".

In Form No. 39 at the end of the first paragraph of the notes there shall be added the words " or for occupation by a smaller number for which the house will be suitable if the works are carried out ".

In Form No. 40—

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

" Alternatively, the notice may stipulate a number of individuals or households or both (lower than the existing number) for which the house will be suitable if the works are carried out ; if there is such a stipulation the Council are empowered to adopt that number for the purposes of this direction." ;

(*b*) in the second paragraph of the notes, for the words " of the premises (i.e. the house or part of the house) to which it relates—" there shall be substituted the words " (which includes any person who is entitled or authorised to permit individuals to take up residence in the house or part of the house to which the direction relates)—".

PART II

Form No.

49. Notice of information as to service of notice requiring works.

50. Control order.

51. Notice of the effect of, and grounds for making, a control order.

52. Advertisement of declaration of an improvement area.

53. Preliminary notice of local authority's proposals for improvement of dwelling in an improvement area.

54. Notification of representations made in respect of dwelling not in an improvement area.

55. Preliminary notice of local authority's proposals for improvement of dwelling not in an improvement area.

56. Preliminary notice of local authority's proposals for improvement of dwellings in a tenement block.

57. Immediate improvement notice in respect of dwelling in an improvement area.

58. Immediate improvement notice in respect of dwelling not in an improvement area.

59. Immediate improvement notice in respect of tenement block.

60. Suspended improvement notice.

61. Final improvement notice on change of occupation or receipt of the tenant's consent.

62. Final improvement notice served after expiration of five years from declaration of improvement area irrespective of change of occupation or receipt of tenant's consent.

63. Notification of the tenant's appeal to the County Court.

FORM No. 49

HOUSING ACTS 1961 AND 1964

NOTICE OF INFORMATION AS TO SERVICE OF NOTICE REQUIRING WORKS

Sections 14(4) and 15(4) Housing Act 1961 and section 64(6) Housing Act 1964.

To of being the [owner] [lessee] [mortgagee] of the premises known as .

Strike out words in square brackets if inapplicable.

Take Notice that the Council have served a notice (of which a copy is attached) in respect of the above-mentioned premises under [section 14], [section 15], [section 16] of the Housing Act 1961.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

In the event of the requirements of this notice not being complied with, the Council may carry out the works required by the notice and the costs of such works, unless and until recovered, will constitute a charge on the premises and on all estates and interests in the premises by virtue of section 18 of the Housing Act 1961 and section 64 of the Housing Act 1964.

Any owner, lessee or mortgagee may appeal against the notice to the [Magistrates Court] [County Court] on the same grounds and subject to the same provisions as apply to an appeal by the person served with the notice. Attention is accordingly drawn to the information concerning such appeals which is contained in the Notes to the attached notice.

FORM No. 50

HOUSING ACT 1964

CONTROL ORDER

Section 73.

Whereas the house described in Part 1 of the schedule to this order, being in the district of the Council, is a house which or a part of which, is let in lodgings or which is occupied by members of more than one family;

And Whereas [there [is] [are] in force in respect of the said house the order[s] notice[s] direction[s]] [it appears to the Council that the state or condition of the house is such as to call for the taking of action], of which particulars are given in Part 2 of the said schedule;

Strike out words in square brackets if inapplicable.

And Whereas it appears to the Council that the living conditions in the house are such that it is necessary to make a control order in order to protect the safety, welfare or health of persons living in the house;

Now Therefore the Council, in pursuance of their powers under section 73 of the Housing Act 1964, hereby make this order for control of the house described in Part 1 of the said schedule [but excluding that part of the said house described in Part 3 of the said schedule] and are hereby empowered to enter the said house, and to take such steps as appear to them to be required to protect the safety, welfare or health of persons

living in the house and otherwise to exercise the powers conferred upon them in that behalf by Part IV of the said Act.

SCHEDULE

PART 1—DESCRIPTION OF HOUSE

PART 2—PARTICULARS OF ACTION UNDER PART II OF HOUSING ACT 1961

PART 3—PART OF HOUSE (IF ANY) EXCLUDED FROM ORDER

The common seal of the Council was hereunto affixed on

19 , in the presence of

FORM No. 51

HOUSING ACT 1964

Section 73(4).

NOTICE OF THE EFFECT OF, AND GROUNDS FOR MAKING, A CONTROL ORDER

*See section 73(3) for the persons onwhom notice should be served. To be omitted from notice posted in the house.

To* of being the

of the house known as

1. The control order accompanying this notice has come into force and the principal grounds on which the Council have considered it necessary to make the order are set out in the appendix at the end of this notice.

The control order has the following effect—

(i) the Council are entitled to full possession and control of the house (less any part specifically excluded from the order) and of any furniture in the house which is let to tenants or lodgers; but on the application in writing of the owner of any such furniture, the Council may decide to renounce their right to retain possession of it;

(ii) the present rights of occupation of residents in the house (including any controlled tenancies that exist) are not affected; but so long as the control order remains in force all residents will be tenants or lodgers of the Council and their rents and other payments will be payable to the Council instead of to the person previously entitled to collect them;

(iii) the Council have the power and duty to take all steps which they think necessary to protect the safety, welfare or health of the residents. They are required to maintain proper standards of management and remedy those deficiencies in the house which could have been remedied by action under Part II of the Housing Act 1961. The residents are under a duty to co-operate with the Council in the work they will have to do in inspecting the house and putting and keeping it in order and occupants may be prosecuted for obstruction;

(iv) the owner of the house or other person who has formerly been entitled to collect the rents from residents will now be entitled, whilst the control order is in force, to compensation from the Council equal to half the gross value of the house (or of such part as is included in the order) with additional payment for any furniture which may have been included in any lettings or lodgings. In addition, the Council will see that the house is insured;

(v) any orders, notices or directions already given under Part II of the Housing Act 1961 have now been cancelled by this control order; but this will not prevent the Council from recovering any outstanding

expenditure due to them or save any person from any criminal liability he already incurred under the Act.

2. The Council are required, not later than eight weeks from the making of the control order, to prepare a scheme listing the capital works which they consider necessary to bring the house up to a fit standard for multiple occupation. A copy of this scheme will be served on the persons interested in the house and will include an indication of the maximum number of people who should be allowed to live in the house. It will also include a financial statement of the costs of improving the house and running it and will show how much of the rents the Council expect to be available for paying off the cost of the work required. Expenditure not paid off out of surplus rents will become a charge on the house and on all interests in it.

3. There are two rights of appeal, either or both of which may be exercised by any person interested in the house, namely—

(*a*) against the making of the control order itself;

(*b*) against the Council's scheme.

These appeals are to the County Court and may be made at any time after notice of the order or of the scheme has been received but **neither appeal can be made later than six weeks after a copy of the scheme has been served.** If both order and scheme are appealed against, the two appeals will, so far as practicable, be heard together.

4. An appeal can be made on all or any of the following grounds:—

(*a*) that the condition of the house did not call for action under Part II of the Housing Act 1961;

(*b*) that it was not necessary to make the control order in order to protect the safety, welfare or health of persons living in the house;

(*c*) that the Council should have excluded from the order a part of the house occupied by a person who, prior to the making of the order, was proprietor of the house, or should have excluded a greater part than they have done;

(*d*) that the control order is invalid on the ground that some requirement of the Act has not been complied with or on the ground of some informality, defect or error in or in connection with the control order (in either case so as to produce a result substantially prejudicial to the interest of the appellant).

5. An appeal against the scheme can be made on all or any of the following grounds:—

(*a*) that the works specified in the scheme are unreasonable in extent, or unnecessary;

(*b*) that works have been wrongly listed as capital works;

(*c*) that the number of individuals or households living in the house, as specified in the scheme, is unreasonably low;

(*d*) that the rate of paying off the capital expenditure out of rent income, as proposed in the scheme, is too low.

6. The control order will cease to have effect in any case after five years; but the Council may terminate it earlier on their own initiative or on the application of any person. Such an application must be supported by reasons why the order should be terminated. If such an application is rejected by the Council or the Council do not within six weeks (or longer, if the applicant allows) inform the applicant of their decision on it, the applicant may appeal to the County Court to revoke the order. If such an appeal is unsuccessful, a further appeal cannot be made until six months after the previous one is disposed of except by leave of the Court.

7. There are in Part IV of the Housing Act 1964 a number of supplementary provisions, for details of which reference should be made to the

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Act itself. The following is a brief indication of the principal matters covered :—

(*a*) mortgagees may have rights against the compensation (sections 78(4) and 81(5));

(*b*) rights and liabilities between different persons interested in furniture which the Council retain may be adjusted by the County Court (section 81(4));

(*c*) after the scheme comes into operation, either the Council or any person with an interest in the house may apply for review of the financial working of the scheme (section 83(2));

(*d*) if the Court revokes the control order on the first appeal, there is provision for settling accounts between the Council and the owner and for the carrying out of necessary but uncompleted work (section 84);

(*e*) if the County Court revokes a control order, the Court may impose obligations on the owner to comply with orders, notices or directions as to management or works (sections 84(2) and 86(9));

(*f*) lessors and lessees of houses subject to control orders may apply to the County Court for modification or termination of leases (section 88);

(*g*) the Council must give facilities to persons with an interest in the house to inspect the house and to inspect their accounts relating to it, whilst the control order is in force (section 89).

Appendix

Principal Grounds for Making the Control Order

Dated 19 .

Signed

Clerk of the Local Authority.

Form No. 52

HOUSING ACT 1964

Section 13. **Advertisement of Declaration of an Improvement Area**

Notice is hereby given that the Council, in pursuance of their powers under section 13 of the Housing Act 1964, on 19 , passed a resolution declaring the area described in the schedule to this notice to be an improvement area.

A copy of the resolution and of the map defining the area may be seen at at all reasonable hours.

Part II of the said Act of 1964 empowers the Council to take action to secure the improvement of dwellings occupied by tenants and by agricultural workers under a contract of service which lack one or more of the standard amenities (see below), are capable of improvement at reasonable expense and will, after improvement, be fit for human habitation and likely to remain in that condition and available for use as dwellings for fifteen years. The Council are empowered to take such action by the service of improvement notices, not more than two years after the passing

of the resolution referred to above, on the persons having control of the said dwellings. The improvement notice, which will be registered as a local land charge, will require the carrying out of the works specified by the Council for the improvement of the dwelling to the full or reduced standard and will be of immediate effect if the tenant has consented. Improvement to the full standard means the provision, for the exclusive use of the occupants of a dwelling, of those of the following standard amenities which the dwelling does not have:—

(*a*) a fixed bath or shower which, if reasonably practicable, is to be in a bathroom;

(*b*) a wash-hand basin;

(*c*) a hot and cold water supply at a fixed bath or shower;

(*d*) a hot and cold water supply at a wash-hand basin;

(*e*) a hot and cold water supply at a sink;

(*f*) a water closet which, if reasonably practicable, must be in and readily accessible from the dwelling;

(*g*) satisfactory facilities for storing food.

The "reduced standard" means the provision only of those of the amenities listed in (*e*), (*f*) and (*g*), which the dwelling does not have.

Prior to the service of the said improvement notices the Council are required to give notice of their proposals for the carrying out of specified works for the improvement of a dwelling to the full or reduced standard and to provide all persons who to their knowledge have an interest in the dwelling with an opportunity for discussion of those proposals. At any time before an improvement notice has been served persons interested may make, and the Council may accept, undertakings in writing to carry out agreed works to improve the dwelling. Part II of the Act includes provisions for appeal to the County Court within six weeks after an improvement notice has been served and for the enforcement of improvement notices by the Council, who are empowered to carry out in default of completion within the period specified, the work specified in the improvement notice. Any expenses reasonably incurred in carrying out such works will be a charge on the property and may, unless recovered from another person under an order of the Court, be recovered by the Council from the person on whom the improvement notice was served.

Part II of the Act further provides that, where an occupying tenant does not consent, a suspended improvement notice will be served. This notice will be followed by a final improvement notice on a change in the occupation of the dwelling, or on notification of a tenant's consent. Where there is no change and no consent the Council may, at the end of five years from the declaration of the area, secure the improvement of a dwelling on which a suspended improvement notice is still outstanding, by the service within six months of that date of a final improvement notice. At this stage tenants will be given a reasonable opportunity to apply to the Council for, and to take up, suitable alternative accommodation.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTE

The local authority are required to publish this newspaper notice as soon as may be after the passing of the resolution.

FORM No. 53

HOUSING ACT 1964

Section 14

PRELIMINARY NOTICE OF LOCAL AUTHORITY'S PROPOSALS FOR IMPROVEMENT OF DWELLING IN AN IMPROVEMENT AREA

To

of

being the person having control of the dwelling known as .

Take Notice that the Council are satisfied that the above mentioned dwelling (which is situated within an improvement area declared by the Council on 19 , notice of which declaration was published on):—

*See section 44(2) of the Housing Act 1964 for definition of tenant.

(*a*) is for the time being occupied by a tenant*; and

(*b*) is without one or more of the standard amenities but is capable of improvement at reasonable expense to the $\frac{\text{full}\dagger}{\text{reduced}}$ standard; and

†Delete the word which is not applicable.

(*c*) will, after such improvement, be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for not less than fifteen years.

The schedule to this notice specifies the works which in the opinion of the Council are required for the dwelling to be improved to the said standard and contains an estimate of the cost of carrying out those works.

The future use of the dwelling, the Council's proposals for the carrying out of the works specified, any alternative proposals, the views and interests of the tenant, and any other matters can be discussed at

‡Being a date at least 21 days from the date of service of this preliminary notice.

on ‡ 19
at o'clock, when you or your representatives will be entitled to be heard.

A copy of this notice is being served on the tenant and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling, all of whom shall be entitled to be heard when the Council's proposals are discussed in accordance with this notice.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. Improvement to the "full standard" means the carrying out of works to provide a dwelling, for the exclusive use of the occupants of that dwelling, with any of the following standard amenities which it does not have:—

(*a*) a fixed bath or shower which, if reasonably practicable, is to be in a bathroom;

(*b*) a wash-hand basin ;

(*c*) a hot and cold water supply at a fixed bath or shower ;

(*d*) a hot and cold water supply at a wash-hand basin ;

(*e*) a hot and cold water supply at a sink ;

(*f*) a water closet which, if reasonably practicable, must be in and readily accessible from the dwelling ;

(*g*) satisfactory facilities for storing food.

Improvement to the " reduced standard " means the provision only of those of the amenities listed in (*e*), (*f*) and (*g*), which the dwelling does not have.

2. The Council are empowered to accept from the person having control of this dwelling, or from any other person having an estate or interest in it, an undertaking in writing to improve it. The said undertaking must specify the works agreed to be carried out, the period within which they are to be carried out, and must incorporate the tenant's written consent to the carrying out of those works.

3. At any time after the date of the discussion referred to in this notice, but not more than two years after the declaration by the Council of the improvement area, that is to say, not later than 19 , the Council may, failing voluntary improvement, take action to secure improvement by the service of an improvement notice.

4. Information on loans and grants for improvements can be obtained from the Council.

FORM No. 54

HOUSING ACT 1964

NOTIFICATION OF REPRESENTATIONS MADE IN RESPECT OF DWELLING NOT IN AN IMPROVEMENT AREA

Section 19(2).

To

of

being the person having control of the dwelling known as .

Notice is hereby given that the Council received representations in writing with respect to the above mentioned dwelling on 19 , from the tenant occupying the dwelling. The representations were made with a view to the exercise by the Council of their powers to secure improvement of the said dwelling under section 19 of the Housing Act 1964.

A copy of the representations is enclosed.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. The Council will consider the representations made to them by the tenant and if they should decide to exercise their powers to secure improvement of the dwelling they will in due course serve a notice of their proposals on the person having control of the dwelling, specifying such works as they consider necessary for the improvement of the dwelling and stating a date, time and place at which their proposals and any other matters can be discussed.

2. Before serving a notice of their proposals, the Council are required to be satisfied that the dwelling is capable of improvement at reasonable expense to the "full standard" or, if not, is capable of improvement at reasonable expense to the "reduced standard".

3. Improvement to the "full standard" means the carrying out of works to provide a dwelling, for the exclusive use of the occupants of that dwelling, with any of the following standard amenities which it does not have :—

(*a*) a fixed bath or shower which, if reasonably practicable, is to be in a bathroom ;

(*b*) a wash-hand basin ;

(*c*) a hot and cold water supply at a fixed bath or shower ;

(*d*) a hot and cold water supply at a wash-hand basin ;

(*e*) a hot and cold water supply at a sink ;

(*f*) a water closet which, if reasonably practicable, must be in and readily accessible from the dwelling ;

(*g*) satisfactory facilities for storing food.

Improvement to the "reduced standard" means the provision only of those of the amenities listed in (*e*), (*f*) and (*g*), which the dwelling does not have.

4. The Council's power to secure the improvement of the dwelling will not be affected even if the tenant leaves the dwelling.

FORM No. 55

HOUSING ACT 1964

Section 19. PRELIMINARY NOTICE OF LOCAL AUTHORITY'S PROPOSALS FOR IMPROVEMENT OF DWELLING NOT IN AN IMPROVEMENT AREA

To

of

being the person having control of the dwelling known as .

Take Notice that the Council, having received representations in writing on 19 from the tenant occupying the dwelling at that date, with a view to securing the improvement of the said dwelling, have considered the representations and are satisfied :—

*See section 44(2) of the Housing Act 1964 for definition of tenant.

†Delete the word which is not applicable.

(*a*) that the person making the representations is a tenant* occupying the dwelling ; and

(*b*) that the dwelling is capable of improvement at reasonable expense to the $\frac{\text{full †}}{\text{reduced}}$ standard ; and

(*c*) that, having regard to all the circumstances, the dwelling ought to be improved to the said standard and that it is unlikely that it will be so improved unless the Council exercise their powers under section 19 of the Housing Act 1964 ; and

(*d*) that the dwelling, after being so improved, will be fit for human habitation, and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for not less than fifteen years.

The schedule to this notice specifies the works which, in the opinion of

the Council, are required for the dwelling to be improved to the said standard, and contains an estimate of the cost of carrying out those works.

The future use of the dwelling, the Council's proposals for the carrying out of the works specified, any alternative proposals, the views and interests of the tenant and any other matters can be discussed at

on‡ 19 , at o'clock, when you or your representative will be entitled to be heard.

‡Being a date at least 21 days from the date of service of this preliminary notice.

A copy of this notice is being served on the tenant, and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling, all of whom shall be entitled to be heard.

SCHEDULE

Dated 19

Signed

Clerk of the Local Authority.

NOTES

1. Improvement to the "full standard" means the carrying out of works to provide a dwelling, for the exclusive use of the occupants of that dwelling, with any of the following standard amenities which it does not have:—

(*a*) a fixed bath or shower, which, if reasonably practicable, is to be in a bathroom;

(*b*) a wash-hand basin;

(*c*) a hot and cold water supply at a fixed bath or shower;

(*d*) a hot and cold water supply at a wash-hand basin;

(*e*) a hot and cold water supply at a sink;

(*f*) a water closet which, if reasonably practicable, must be in and readily accessible from the dwelling;

(*g*) satisfactory facilities for storing food.

Improvement to the "reduced standard" means the provision only of those of the amenities listed in (*e*), (*f*) and (*g*), which the dwelling does not have.

2. The Council are empowered to accept from the person having control of this dwelling, or from any other person having an estate or interest in it, an undertaking in writing to improve it. The said undertaking must specify the works agreed to be carried out, the period within which they are to be carried out, and must incorporate the tenant's written consent to the carrying out of those works.

3. At any time after the date of the discussion referred to in this notice, but not more than two years after the date of the receipt of the representations referred to in this notice, the Council may, failing voluntary improvement, take action to secure improvement by the service of an improvement notice.

4. The Council's power to secure improvement of the dwelling will not be affected even if the tenant leaves the dwelling.

5. Information on loans and grants for improvement can be obtained from the Council.

FORM No. 56

HOUSING ACT 1964

Section 20. PRELIMINARY NOTICE OF LOCAL AUTHORITY'S PROPOSALS FOR IMPROVEMENT OF DWELLINGS IN A TENEMENT BLOCK

To

of

being the person having control of the tenement block known as .

Take Notice that the Council are satisfied :—

(*a*) that the above mentioned tenement block contains dwellings which are without one or more of the standard amenities ; and

(*b*) that those dwellings are capable of improvement at reasonable expense to the full standard or, if not, to the reduced standard ; and

(*c*) that those dwellings, after being so improved, will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than fifteen years.

The schedule to this notice specifies the works which, in the opinion of the Council, are required for the dwellings listed in the schedule to be improved to the full standard or to the reduced standard [or to the standard permitted under section 20(3) of the Housing Act 1964] as shown therein and contains an estimate of the cost of carrying out those works.

Strike out words in square brackets if inapplicable.

The Council's proposals for the carrying out of the works specified, any alternative proposals, the views and interests of the tenants and any other matters can be discussed at

on* 19 , at o'clock, when you or your representative will be entitled to be heard.

*Being a date at least 21 days from the date of service of this preliminary notice.

A copy of this notice is being served on the occupier of each dwelling in the tenement block and on every person who, to the Council's knowledge, is an owner, lessee or mortgagee of the premises, all of whom shall be entitled to be heard.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. Improvement to the "full standard" means the carrying out of works to provide a dwelling, for the exclusive use of the occupants of that dwelling, with any of the following standard amenities which it does not have :—

(*a*) a fixed bath or shower which, if reasonably practicable, is to be in a bathroom ;

(*b*) a wash-hand basin ;

(*c*) a hot and cold water supply at a fixed bath or shower ;

(*d*) a hot and cold water supply at a wash-hand basin ;

(*e*) a hot and cold water supply at a sink;

(*f*) a water closet which, if reasonably practicable, must be in and readily accessible from the dwelling;

(*g*) satisfactory facilities for storing food.

Improvement to the "reduced standard" means the provision only of those of the amenities listed in (*e*), (*f*) and (*g*), which the dwelling does not have.

2. Section 20(3) of the Housing Act 1964 empowers the Council, where the Council are of the opinion that any two or more dwellings in the block are not capable of improvement at reasonable expense to the full standard so as to include a bathroom in each dwelling, to include in the works specified in a preliminary notice works to provide bathrooms at a ratio of at least one bathroom for the exclusive use of the occupants of two dwellings.

3. The Council are empowered to accept from the person having control of the tenement block, or from any other person having an estate or interest in it, an undertaking in writing to improve the dwellings in the tenement block. The said undertaking must specify the works agreed to be carried out, the period within which they are to be carried out, and must incorporate the tenant's written consent to the carrying out of those works.

4. At any time after the date of the discussion referred to in this notice, but not more than two years after the service of this preliminary notice, the Council may, failing voluntary improvement, take action to secure improvement by the service of an improvement notice.

5. Information on loans and grants for improvements can be obtained from the Council.

FORM No. 57

HOUSING ACT 1964

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF DWELLING IN AN IMPROVEMENT AREA

Sections 15 and 16.

To

of

being the person having control of the dwelling known as

Take Notice that:—

(1) the Council, having on 19 served a preliminary notice under section 14 of the Housing Act 1964, have taken into consideration all such representations as were made on or before 19, being the date given in the said preliminary notice for the discussion of the Council's proposals for the said dwelling;

(2) the Council are satisfied that the dwelling—

(*a*) is occupied by a tenant; and

(*b*) is without one or more of the standard amenities, but is capable of improvement at reasonable expense to the $\frac{\text{full*}}{\text{reduced}}$ standard being the standard specified in the said preliminary notice; and

(*c*) after improvement, will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for not less than fifteen years;

*Delete the word which is not applicable.

(3) the Council have received the consent of
being the tenant occupying the dwelling to the improvement of the dwelling to the said standard;

(4) the Council, in pursuance of sections 15 and 16 of the Housing Act 1964 hereby require you to carry out, within twelve months from the date when this notice becomes operative, the works specified in the schedule to this notice, being works which, in the opinion of the Council, are required to improve the dwelling to the said standard.

A copy of this notice is being served on the tenant and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. This improvement notice will become operative six weeks from the date of service on the person having control, if no appeal is brought against it within that period. If an appeal is brought and the notice is confirmed by the County Court or on appeal from the County Court it will become operative on the final determination of the appeal.

2. The person on whom the improvement notice is served or any other person having an estate or interest in the dwelling, other than the occupying tenant, may appeal against the notice to a County Court. The appeal must be brought within six weeks from the service of this notice to the County Court within the jurisdiction of which the offices of the Council are situated and may be brought on all or any of the following grounds:—

(*a*) that it is not practicable to comply with the requirements of the improvement notice at reasonable expense, regard being had to the estimated cost of the works, and the value which it is estimated that the dwelling will have when the works are completed;

(*b*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works specified in the notice are otherwise unreasonable in character or extent;

(*c*) that the dwelling is not, or is no longer, without one or more of the standard amenities, or that the dwelling, after being improved, would not be in such condition as to be fit for human habitation and likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than fifteen years;

(*d*) that some person other than the appellant will, as the holder of an estate or interest in the dwelling, derive a benefit from the execution of the works and that that person ought to pay the whole or part of the cost of the execution of the works;

(*e*) that the improvement notice is invalid on the ground that any requirement of the Housing Act 1964 has not been complied with, or on the ground of some informality, defect or error in or in connection with the improvement notice.

3. The procedure for entering an appeal in the County Court is governed by County Court Rules. A copy of this notice must be filed in the Court Office together with a request for the entering of the appeal in the form prescribed by the Rules. A copy of the request must be supplied to the Court for service on the Council.

4. An appeal, in so far as it is based on the ground specified in paragraph 2(*e*) above, will be dismissed unless the Court is satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

5. On the hearing of the appeal, the Court has power to confirm, quash, or vary this improvement notice, but not so as to vary the standard (full or reduced) to which the dwelling is to be improved, or to extend the period within which the works are to be carried out.

6. The Court may, if it thinks fit, accept from an appellant or any other party to the proceedings an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the Court had exercised its jurisdiction to vary the improvement notice; and any undertaking accepted by the Court will have the same effect as if it had been given to and accepted by the Council under Part II of the Act of 1964.

7. Where the grounds on which an appeal is brought include the grounds specified in paragraph 2(*d*) above, the Court may, on the hearing of the appeal, make such order as it thinks fit with respect to the payment to be made by that other person to the appellant or, where the works are carried out by the Council, to the Council.

8. If the works specified in this notice or, as the case may be, in the notice as varied by the Court on appeal, or in an undertaking accepted by the Council under Part II of the Act of 1964, are not carried out within the period specified, the Council may themselves do the works, or, if the person concerned notifies the Council in writing that he does not intend or is unable to do the works, the Council may themselves do the works before the period expires. Any expenses reasonably incurred by the Council in carrying out such works may (except where recoverable under an order of the Court) be recovered by them, together with interest, by action from the person on whom the improvement notice was served, or the person who gave the undertaking, as the case may be.

9. At any time within six months from the date on which this improvement notice becomes operative, the person on whom this notice is served as being the person having control of the dwelling or the principal on whose behalf the said person receives the rack rent as agent or trustee may, by notice in writing served on the Council, require the Council to purchase his interest in the dwelling in accordance with section 59 of the Act of 1964.

10. This improvement notice will be registered in the Register of Local Land Charges.

11. Information about grants and loans for improvement and the possibility of the Council agreeing to carry out the improvement works on behalf of and at the expense of the person liable to carry out the works in consequence of this notice can be obtained from the Council.

FORM NO. 58

HOUSING ACT 1964

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF DWELLING NOT IN AN IMPROVEMENT AREA — Section 19.

To

of

being the person having control of the dwelling known as

Take Notice that:—

(1) the Council,

having on 19

served a preliminary notice under section 19(3) of the Housing Act

1964, have taken into consideration all such representations as were made on or before 19 , being the date given in the said preliminary notice for discussion of the Council's proposals for the said dwelling;

(2) the Council are satisfied—

(*a*) that the dwelling is capable of improvement at reasonable expense to the $\frac{\text{full*}}{\text{reduced}}$ standard; and

*Delete the word which is not applicable.

(*b*) that, having regard to all the circumstances, the dwelling ought to be improved to the said standard and is unlikely to be so improved unless the Council exercise their powers under section 19 of the Housing Act 1964; and

(*c*) that the dwelling, after improvement, will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for not less than fifteen years;

(3) the Council, in pursuance of section 19(5) of the Housing Act 1964, hereby require you to carry out, within [ ]† months from the date when this notice becomes operative, the works specified in the schedule to this notice, being works which, in the opinion of the Council, are required to improve the dwelling to the said standard.

†Where the works are to the reduced standard, the Council may at their discretion specify a period shorter than twelve months.

A copy of this notice is being served on the tenant and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. This improvement notice will become operative six weeks from the date of service on the person having control, if no appeal is brought against it. If an appeal is brought and the notice is confirmed by the County Court or on appeal from the County Court it will become operative on the final determination of the appeal.

2. The person on whom the improvement notice is served or any other person having an estate or interest in the dwelling, other than the occupying tenant, may appeal against the notice to a County Court. The appeal must be brought within six weeks from the service of this notice to the County Court within the jurisdiction of which the offices of the Council are situated and may be brought on all or any of the following grounds:—

(*a*) that it is not practicable to comply with the requirements of the improvement notice at reasonable expense, regard being had to the estimated cost of the works, and the value which it is estimated that the dwelling will have when the works are completed;

(*b*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works specified in the notice are otherwise unreasonable in character or extent;

(*c*) that the dwelling is not, or is no longer, without one or more of the standard amenities, or that the dwelling, after being improved, would not be in such condition as to be fit for human habitation and likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than fifteen years;

(*d*) that some person other than the appellant will, as the holder of an estate or interest in the dwelling, derive a benefit from the execution of the works and that that person ought to pay the whole or part of the cost of the execution of the works;

(*e*) that the improvement notice is invalid on the ground that any requirement of the Housing Act 1964 has not been complied with, or on the ground of some informality, defect or error in or in connection with the improvement notice.

3. The procedure for entering an appeal in the County Court is governed by County Court Rules. A copy of this notice must be filed in the Court Office together with a request for the entering of the appeal in the form prescribed by the Rules. A copy of the request must be supplied to the Court for service on the Council.

4. An appeal, in so far as it is based on the ground specified in paragraph 2(*e*) above, will be dismissed unless the Court is satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

5. On the hearing of the appeal, the Court has power to confirm, quash, or vary this improvement notice, but not so as to vary the standard (full or reduced) to which the dwelling is to be improved, or to extend the period within which the works are to be carried out.

6. The Court may, if it thinks fit, accept from an appellant or any other party to the proceedings an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the Court had exercised its jurisdiction to vary the improvement notice; and any undertaking accepted by the Court will have the same effect as if it had been given to and accepted by the Council under Part II of the Act of 1964.

7. Where the grounds on which an appeal is brought include the grounds specified in paragraph 2(*d*) above, the Court may, on the hearing of the appeal, make such order as it thinks fit with respect to the payment to be made by that other person to the appellant or, where the works are carried out by the Council, to the Council.

8. If the works specified in this notice or, as the case may be, in the notice as varied by the Court on appeal, or in an undertaking accepted by the Council under Part II of the Act of 1964, are not carried out within the period specified, the Council may themselves do the works, or, if the person concerned notifies the Council in writing that he does not intend or is unable to do the works, the Council may themselves do the works before the period expires. Any expenses reasonably incurred by the Council in carrying out such works may (except where recoverable under an order of the Court) be recovered by them, together with interest, by action from the person on whom the improvement notice was served, or the person who gave the undertaking, as the case may be.

9. At any time within six months from the date on which this improvement notice becomes operative, the person on whom this notice is served as being the person having control of the dwelling or the principal on whose behalf the said person receives the rack rent as agent or trustee may, by notice in writing served on the Council, require the Council to purchase his interest in the dwelling in accordance with section 59 of the Act of 1964.

10. This improvement notice will be registered in the Register of Local Land Charges.

11. Information about grants and loans for improvement and the possibility of the Council agreeing to carry out the improvement works on behalf of and at the expense of the person liable to carry out the works in consequence of this notice can be obtained from the Council.

FORM No. 59

HOUSING ACT 1964

Section 21. IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF TENEMENT BLOCK

To

of

being the person having control of the tenement block known as

Take Notice that :—

(1) the Council, having on 19 served a preliminary notice under section 20 of the Housing Act 1964, have taken into consideration all such representations as were made on or before 19 , being the date given in the said preliminary notice for discussion of the Council's proposals with respect to the tenement block ;

(2) the Council are satisfied—

(*a*) that the tenement block contains dwellings which are without one or more of the standard amenities ; and

(*b*) that those dwellings in so far as they are not capable of improvement at reasonable expense to the full standard are capable of improvement at reasonable expense to the reduced standard ; and

(*c*) that those dwellings after being so improved will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than fifteen years ;

(3) the Council, in pursuance of section 21(2) of the Housing Act 1964, hereby require you to carry out, within twelve months from the date when this notice becomes operative, the works specified in the schedule to this notice, being the works which, in the opinion of the Council, are required for the dwellings listed in the schedule to be improved to the full standard or to the reduced standard [or to the standard permitted under section 20(3) of the Housing Act 1964], as shown therein.

Strike out words in square brackets if inapplicable.

A copy of this notice is being served on the occupier of each dwelling in the tenement block and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the tenement block.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. This improvement notice will become operative six weeks from the date of service on the person having control, if no appeal is brought against it. If an appeal is brought and the notice is confirmed by the County Court or on appeal from the County Court it will become operative on the final determination of the appeal.

2. The person on whom the improvement notice is served or any other person having an estate or interest in the premises, other than an occupying tenant, may appeal against the notice to a County Court. The appeal must be brought within six weeks from the service of this notice to the County Court within the jurisdiction of which the offices of the Council are situated and may be brought on all or any of the following grounds:—

(*a*) that it is not practicable to comply with the requirements of the improvement notice at reasonable expense, regard being had to the estimated cost of the works and the value which it is estimated that the premises will have when the works are completed;

(*b*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works specified in the notice are otherwise unreasonable in character or extent;

(*c*) that any dwelling in the premises is not, or is no longer, without one or more of the standard amenities, or that the dwelling, after being improved, would not be in such condition as to be fit for human habitation and likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than fifteen years;

(*d*) that some person other than the appellant 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 part of the cost of the execution of the works;

(*e*) that the improvement notice is invalid on the ground that any requirement of the Housing Act 1964 has not been complied with, or on the ground of some informality, defect or error in or in connection with the improvement notice.

3. The procedure for entering an appeal in the County Court is governed by County Court Rules. A copy of this notice must be filed in the Court Office together with a request for the entering of the appeal in the form prescribed by the Rules. A copy of the request must be supplied to the Court for service on the Council.

4. An appeal, in so far as it is based on the ground specified in paragraph 2(*e*) above, will be dismissed unless the Court is satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

5. On the hearing of the appeal, the Court has power to confirm, quash, or vary this improvement notice, but not so as to vary the standard (full or reduced) to which any dwelling in the premises is to be improved, or to extend the period within which the works are to be carried out.

6. The Court may, if it thinks fit, accept from an appellant or any other party to the proceedings an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the Court had exercised its jurisdiction to vary the improvement notice; and any undertaking accepted by the Court will have the same effect as if it had been given to and accepted by the Council under Part II of the Act of 1964.

7. Where the grounds on which an appeal is brought include the grounds specified in paragraph 2(*d*) above, the Court may, on the hearing of the appeal, make such order as it thinks fit with respect to the payment to be made by that other person to the appellant or, where the works are carried out by the Council, to the Council.

8. If the works specified in this notice or, as the case may be, in the notice as varied by the Court on appeal, or in an undertaking accepted by the Council under Part II of the Act of 1964, are not carried out within the period specified, the Council may themselves do the works, or, if the person concerned notifies the Council in writing that he does not intend or is unable to do the works, the Council may themselves do the works before the period expires. Any expenses reasonably incurred by the Council in carrying out such works may (except where recoverable under an order of the Court) be recovered by them, together with interest, by action from the person on whom the improvement notice was served, or the person who gave the undertaking, as the case may be.

9. At any time within six months from the date on which this improvement notice becomes operative, the person on whom this notice is served as being the person having control of the premises or the principal on whose behalf the said person receives the rack rent as agent or trustee may, by notice in writing served on the Council, require the Council to purchase his interest in the premises in accordance with section 59 of the Act of 1964.

10. This improvement notice will be registered in the Register of Local Land Charges.

11. Information about grants and loans for improvement and the possibility of the Council agreeing to carry out the improvement works on behalf of and at the expense of the person liable to carry out the works in consequence of this notice can be obtained from the Council.

FORM No. 60

HOUSING ACT 1964

Section 17

SUSPENDED IMPROVEMENT NOTICE

To

of

being the person having control of the dwelling known as .

Take Notice that:—

(1) the Council, having on 19 served a preliminary notice under section 14 of the Housing Act 1964, have taken into consideration all such representations as were made on or before 19 , being the date given in the said preliminary notice for the discussion of the Council's proposals for the said dwelling;

(2) the Council are satisfied that the dwelling—

*See section 44(2) of the Housing Act 1964 for definition of tenant.

(*a*) is occupied by a tenant*; and

†Delete the word which is not applicable.

(*b*) is without one or more of the standard amenities, but is capable of improvement at reasonable expense to the $\frac{\text{full}\dagger}{\text{reduced}}$ standard being the standard specified in the said preliminary notice; and

(*c*) after improvement will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for not less than fifteen years;

(3) the Council have not received the consent of the tenant occupying the dwelling to the improvement of the dwelling to the said standard;

(4) the Council, in pursuance of section 17 of the Housing Act 1964, propose to exercise the powers conferred on them by Part II of the said Act to require you to carry out the works specified in the schedule to this notice, being works which, in the opinion of the Council, are required to improve the dwelling to the said standard, should one of the following circumstances:—

(*a*) a change in the occupation‡ of the dwelling, or

(*b*) receipt by the Council of the written consent of the tenant for the time being to the improvement of the dwelling

occur before 19 , this date marking the expiration of a period of five years from the Council's declaration of the area as an improvement area;

‡There is a "change in the occupation" when the person occupying the dwelling when this notice was served ceases to occupy it, save where he is succeeded by a member of his family who was residing with him immediately before he ceased to occupy it.

(5) in the period of six months from the date specified in the preceding paragraph the Council are empowered under section 18 of the Housing Act 1964 to require you to carry out the said works irrespective of the occurrence of the circumstances mentioned in that paragraph;

(6) if, when the said period of six months has expired, the Council have not served a final improvement notice requiring you to carry out the said works, this suspended improvement notice shall cease to have effect.

A copy of this notice is being served on the tenant and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. This improvement notice will be registered in the Register of Local Land Charges and will become operative six weeks from the date of service on the person having control, if no appeal is brought against it. If an appeal is brought and the notice is confirmed by the County Court or on appeal from the County Court it will become operative on the final determination of the appeal.

2. The person on whom the improvement notice is served or any other person having an estate or interest in the dwelling, other than the occupying tenant, may appeal against the notice to a County Court. The appeal must be brought within six weeks from the service of this notice to the County Court within the jurisdiction of which the offices of the Council are situated and may be brought on all or any of the following grounds:—

(*a*) that it is not practicable to comply with the requirements of the improvement notice at reasonable expense, regard being had to the estimated cost of the works, and the value which it is estimated that the dwelling will have when the works are completed;

(*b*) that the Council have refused unreasonably to approve the execution of alternative works, or that the works specified in the notice are otherwise unreasonable in character or extent;

(*c*) that the dwelling is not, or is no longer, without one or more of the standard amenities, or that the dwelling, after being improved, would not be in such condition as to be fit for human habitation and likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than fifteen years;

(*d*) that some person other than the appellant will, as the holder of an estate or interest in the dwelling, derive a benefit from the execution of the works and that that person ought to pay the whole or part of the cost of the execution of the works;

(*e*) that the improvement notice is invalid on the ground that any requirement of the Housing Act 1964 has not been complied with, or on the ground of some informality, defect or error in or in connection with the improvement notice.

3. The procedure for entering an appeal in the County Court is governed by County Court Rules. A copy of this notice must be filed in the Court Office together with a request for the entering of the appeal in the form prescribed by the Rules. A copy of the request must be supplied to the Court for service on the Council.

4. An appeal, in so far as it is based on the ground specified in paragraph 2(*e*) above, will be dismissed unless the Court is satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

5. On the hearing of the appeal, the Court has power to confirm, quash, or vary this improvement notice, but not so as to vary the standard (full or reduced) to which the dwelling is to be improved, or to extend the period within which the works are to be carried out.

6. The Court may, if it thinks fit, accept from an appellant or any other party to the proceedings, an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the Court exercised its jurisdiction to vary the improvement notice; and any undertaking accepted by the Court shall have the same effect as if it had been given to and accepted by the Council under Part II of the Act of 1964.

7. Where the grounds on which an appeal is brought include the grounds specified in paragraph 2(*d*) above, the Court may, on the hearing of the appeal, make such order as it thinks fit with respect to the payment to be made by that other person to the appellant, or to the Council in the event of the Council themselves doing the work in pursuance of section 28(1) of the Act of 1964.

8. An appeal against a final improvement notice may not be made on the same grounds on which an appeal is made or could have been made against this suspended improvement notice (see paragraph 2 above), except where that ground of appeal is affected by an alteration in the dwelling or a change in circumstances since the service of this notice.

9. Under section 17(5) of the Act of 1964 it will be the duty of the person having control of this dwelling to inform the Council by notice in writing of any change in the occupation of the dwelling after the service of this notice at any time within a period of five years from .

Failure to do this within six weeks of a change taking place will render the person having control of the dwelling liable on summary conviction to a fine not exceeding one hundred pounds.

FORM NO. 61

HOUSING ACT 1964

FINAL IMPROVEMENT NOTICE ON A CHANGE OF OCCUPATION OR RECEIPT OF THE TENANT'S CONSENT

Section 17(3).

To

of

being the person having control of the dwelling known as .

Take Notice that :—

(1) the Council, having on 19 served a suspended improvement notice (copy herewith) under section 17 of the Housing Act 1964, are satisfied that one of the following conditions specified in section 17 of the said Act is fulfilled:—

(*a*) the Council are satisfied that there has been a change in the occupation of the dwelling since the suspended improvement notice was served, or

(*b*) the Council have received from the tenant for the time being his consent in writing to the improvement of the dwelling to the standard required ;

(2) the Council are satisfied that the dwelling—

(*a*) is still without one or more of the standard amenities but is capable of improvement at reasonable expense to the $\frac{\text{full*}}{\text{reduced}}$ standard being the standard required in the suspended improvement notice ; and

*Delete the word which is not applicable.

(*b*) after improvement will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for a period of not less than fifteen years ;

(3) the Council, in pursuance of their powers under section 17 of the Housing Act 1964, hereby require you to carry out, within twelve months from the date when this notice becomes operative, the works specified in the suspended improvement notice attached.

A copy of this notice and of the suspended improvement notice are being served on the occupier of the dwelling and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. This improvement notice will become operative six weeks from the date of service on the person having control, if no appeal is brought against it. If an appeal is brought and the notice is confirmed by the County Court or on appeal from the County Court it will become operative on the final determination of the appeal.

2. No appeal may be brought against this notice on any ground on which an appeal was or might have been brought against the suspended improvement notice to which this notice relates, except where that ground of appeal depends on an alteration in the dwelling or some other change in circumstances since the service of the suspended improvement notice.

3. The person on whom this improvement notice is served or any other person having an estate or interest in the dwelling, other than the occupying tenant, may appeal against the notice to a County Court. The appeal must be brought within six weeks from the service of this notice to the County Court within the jurisdiction of which the offices of the Council are situated and, subject to the limitation explained in the last paragraph, may be brought on all or any of the grounds specified at paragraph 2 of the Notes to the suspended improvement notice.

4. The procedure for entering an appeal in the County Court is governed by County Court Rules. A copy of this notice must be filed in the Court Office together with a request for the entering of the appeal in the form prescribed by the Rules. A copy of the request must be supplied to the Court for service on the Council.

5. An appeal, in so far as it is based on the ground specified in paragraph 2(*e*) of the Notes to the suspended improvement notice, will be dismissed unless the Court is satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

6. On the hearing of the appeal, the Court has power to confirm, quash, or vary this improvement notice, but not so as to vary the standard (full or reduced) to which the dwelling is to be improved, or to extend the period within which the works are to be carried out.

7. The Court may, if it thinks fit, accept from an appellant or any other party to the proceedings, an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the Court exercised its jurisdiction to vary the improvement notice; and any undertaking accepted by the Court will have the same effect as if it had been given to and accepted by the Council under Part II of the Housing Act 1964.

8. Where the grounds on which an appeal is brought include the grounds specified in paragraph 2(*d*) of the Notes to the suspended improvement notice, the Court may, on the hearing of the appeal, make such order as it thinks fit with respect to the payment to be made by that other person to the appellant or, where the works are carried out by the Council, to the Council.

9. If the works specified in the suspended improvement notice or, as the case may be, in the notice as varied by the Court on appeal, or in an undertaking accepted by the Council under Part II of the Act of 1964, are not carried out within the period specified, the Council may themselves do the works, or, if the person concerned notifies the Council in writing that he does not intend or is unable to do the works, the Council may themselves do the works before the period expires. Any expenses reasonably incurred by the Council in carrying out such works may (except where recoverable under an order of the Court) be recovered by them, together with interest, by action from the person on whom the improvement notice was served, or the person who gave the undertaking, as the case may be.

10. At any time within six months from the date on which this improvement notice becomes operative, the person on whom this notice is served as being the person having control of the dwelling or the principal on whose behalf the said person receives the rack rent as agent or trustee may, by notice in writing served on the Council, require the Council to purchase his interest in the dwelling in accordance with section 59 of the Act of 1964.

11. This improvement notice will be registered in the Register of Local Land Charges.

12. Information about grants and loans for improvement and the possibility of the Council agreeing to carry out the improvement works on behalf of and at the expense of the person liable to carry out the works in consequence of this notice can be obtained from the Council.

FORM NO. 62

HOUSING ACT 1964

FINAL IMPROVEMENT NOTICE SERVED AFTER EXPIRATION OF FIVE YEARS FROM DECLARATION OF IMPROVEMENT AREA IRRESPECTIVE OF CHANGE OF OCCUPATION OR RECEIPT OF TENANT'S CONSENT

Section 18.

To

of

being the person having control of the dwelling known as

Take Notice that:—

(1) the Council, having on 19 served a suspended improvement notice (copy herewith) under section 17 of the Housing Act 1964 in respect of this dwelling situated in an area which was declared an improvement area by the Council on 19 *, and having given the tenant occupying the dwelling an opportunity to apply to them for suitable alternative accommodation, have decided to exercise their powers under section 18 of the said Act to secure the improvement of the dwelling without further delay;

*This final improvement notice must be served within a period of six months after the expiration of five years from the declaration of the improvement area (section 18(1)).

(2) the Council are satisfied that the dwelling—

(*a*) is still without one or more of the standard amenities but is capable of improvement at reasonable expense to the $\frac{\text{full}\dagger}{\text{reduced}}$ standard being the standard required in the suspended improvement notice; and

†Delete the word which is not applicable.

(*b*) after improvement will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for a period of not less than fifteen years;

(3) the Council, in pursuance of their powers under section 18(1) of the Housing Act 1964, hereby require you to carry out within twelve months from the date when this notice becomes operative, the works specified in the suspended improvement notice herewith.

A copy of this notice and of the suspended improvement notice are being served on the tenant of the dwelling and on every other person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

1. This improvement notice will become operative six weeks from the date of service on the person having control, if no appeal of the kinds described in paragraphs 3 and 4 below is brought against it. If an appeal is brought and the notice is confirmed by the County Court or on appeal from the County Court it will, unless withdrawn (see paragraph 3 below), become operative on the final determination of the appeal.

2. Appeals must be brought within six weeks from the service of this notice to the County Court within the jurisdiction of which the offices of the Council are situated.

3. The tenant may appeal to the County Court on the ground that the Council have not complied with their obligations (*a*) to give him a reasonable opportunity to apply to them to provide him with suitable alternative accommodation and/or (*b*) to offer him, or arrange for some other authority or person to offer him, suitable alternative accommodation, so as to afford him a reasonable chance of taking it up. If the Court upholds the tenant's appeal, this improvement notice will not become operative unless the Council satisfy the Court within twelve months from the hearing of the appeal that they have complied with their obligation. If at the end of that period the Council have not so satisfied the Court, the improvement notice must be withdrawn.

4. The person on whom this improvement notice is served, or any other person having an estate or interest in the dwelling, may appeal against the notice to the County Court. An appeal may be brought on all or any of the grounds specified in paragraph 2 of the Notes to the suspended improvement notice subject to what is said in paragraph 5 below.

5. No appeal of the kind described in paragraph 4 above may be brought against this notice on any ground on which an appeal was or might have been brought against the suspended improvement notice to which this notice relates, except where that ground of appeal depends on an alteration in the dwelling or some other change in circumstances since the service of the suspended improvement notice.

6. The procedure for entering an appeal in the County Court is governed by County Court Rules. A copy of this notice must be filed in the Court Office together with a request for the entering of the appeal in the form prescribed by the Rules. A copy of the request must be supplied to the Court for service on the Council.

7. An appeal, in so far as it is based on the ground specified in paragraph 2(*e*) of the Notes to the suspended improvement notice, will be dismissed unless the Court is satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

8. On the hearing of the appeal, the Court has power to confirm, quash, or vary this improvement notice, but not so as to vary the standard (full or reduced) to which the dwelling is to be improved, or to extend the period within which the works are to be carried out.

9. The Court may, if it thinks fit, accept from an appellant or any other party to the proceedings, an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the Court exercised its jurisdiction to vary the improvement notice; and any undertaking accepted by the Court will have the same effect as if it had been given to and accepted by the Council under Part II of the Housing Act 1964.

10. Where the grounds on which an appeal is brought include the grounds specified in paragraph 2(*d*) of the Notes to the suspended improvement notice, the Court may, on the hearing of the appeal, make such order as it thinks fit with respect to the payment to be made by that other person to the appellant or, where the works are carried out by the Council, to the Council.

11. If the works specified in the suspended improvement notice, or, as the case may be, in the notice as varied by the Court on appeal, or in an undertaking accepted by the Council under Part II of the Act of 1964, are not carried out within the period specified, the Council may themselves do the works, or, if the person concerned notifies the Council in writing that he does not intend or is unable to do the works, the Council may themselves do the works before the period expires. Any expenses reasonably incurred by the Council in carrying out such works may (except where recoverable

under an order of the Court) be recovered by them, together with interest, by action from the person on whom the improvement notice was served, or the person who gave the undertaking, as the case may be.

12. At any time within six months from the date on which this improvement notice becomes operative, the person on whom this notice is served as being the person having control of the dwelling or the principal on whose behalf the said person receives the rack rent as agent or trustee may, by notice in writing served on the Council, require the Council to purchase his interest in accordance with section 59 of the Act of 1964.

13. This improvement notice will be registered in the Register of Local Land Charges.

14. Information about grants and loans for improvement and the possibility of the Council agreeing to carry out the improvement works on behalf of and at the expense of the person liable to carry out the works in consequence of this notice can be obtained from the Council.

FORM No. 63

HOUSING ACT 1964

NOTIFICATION OF TENANT'S APPEAL TO THE COUNTY COURT Section 18(4).

To

of

being the person having control of the dwelling known as

Notice is hereby given that the Council, having on 19 served a copy of the final improvement notice on

Mr.

Mrs.

Miss

the tenant of the above-mentioned dwelling, in accordance with section 17(4) of the Housing Act 1964, have now been served with notice of the appeal of the said tenant to the County Court. The appeal is being brought in accordance with the provisions of section 18(3) of the Housing Act 1964.

The effect of those provisions is as follows:—

(1) The final improvement notice will not now become operative unless the Council satisfy the County Court on the appeal that they have complied with their obligations in regard to the re-housing of the tenant in accordance with section 18(2) of the Act of 1964.

(2) If the Court uphold the tenant's appeal the final improvement notice will not become operative until such time, within a period of twelve months from the hearing of the appeal, as the Council satisfy the Court that they have complied with those obligations.

(3) At the end of the period of twelve months the Council, if they fail to satisfy the Court, must withdraw the improvement notice.

A copy of this notice is being sent to every person who, to the Council's knowledge, is an owner, lessee or mortgagee of the dwelling.

Dated 19 .

Signed

Clerk of the Local Authority.

Given under the official seal of the Minister of Housing and Local Government on 26th January 1965.

(L.S.) *R. H. S. Crossman,*
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 certain existing forms and prescribe new forms. All the amendments and one of the new forms (No. 49) are consequential upon the amendment of Part II of the Housing Act 1961 (which deals with the carrying out of works and abatement of overcrowding of houses in multiple occupation) by Part IV of the Housing Act 1964. Two other new forms (Nos. 50 and 51) relate to the control of houses in multiple occupation under the new provisions of Part IV of the Housing Act 1964. The remaining new forms are the forms of advertisement and certain notices to be used for the purposes of Part II of the Housing Act 1964 (which deals with the compulsory improvement of dwellings to provide standard amenities).