STATUTORY INSTRUMENTS

1966 No. 253

HOUSING, ENGLAND AND WALES

The Housing (Prescribed Forms) Regulations 1966

Made - - -	*8th March* 1966
Laid before Parliament	*9th March* 1966
Coming into Operation	*23rd March* 1966

The Minister of Housing and Local Government and the Secretary of State, in exercise of their respective 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 under paragraph 2 of Schedule 2 to the Land Compensation Act 1961(d), as read with the Secretary of State for Wales and Minister of Land and Natural Resources Order 1965(e), and of all other powers enabling them in that behalf, hereby make the following regulations:—

1.—(1) These regulations may be cited as the Housing (Prescribed Forms) Regulations 1966 and shall come into operation on 23rd March 1966.

(2) The Interpretation Act 1889(f) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

2. The forms set out in Schedule 2 hereto (of which a list is set out in Schedule 1 hereto) or forms substantially to the like effect shall be the forms to be used for the purposes of the Housing Acts 1957 to 1965.

3. The regulations specified in Schedule 3 hereto are hereby revoked, but this revocation shall not affect the validity of any order, notice, advertisement or other document made or used in a form prescribed by the said 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) 9 & 10 Eliz. 2. c. 33.
(e) S.I. 1965/319 (1965 I, p.785).
(f) 52 & 53 Vict. c. 63.

Regulation 2

SCHEDULE 1

LIST OF FORMS

FORM NO.

1. Notice before entry for the purpose of inspection, etc.
2. Notice requiring execution of works.
3. Closing order in respect of a house included in a building preservation order, etc.
4. Notice to abate overcrowding in house let in lodgings.
5. Order declaring expenses of execution of works to be payable by instalments.
6. Notice of time and place for consideration of condition of house liable to be made subject to demolition or closing order.
7. Order for demolition of a house.
8. Notice of intention to cleanse building to which a demolition order or clearance order applies.
9. Notice to proceed with demolition after a building has been cleansed.
10. Notice to occupier to quit house after demolition order has become operative.
11. Notice of determination by local authority to purchase house in lieu of making a demolition order where no undertaking to do works has been accepted or on breach of an undertaking accepted.
12. Notice of time and place for consideration of condition of part of a building liable to be made subject to closing order.
13. Closing order in respect of part of a building.
14. Closing order in lieu of demolition order in respect of a house.
15. Clearance order.
16. Clearance order providing for postponement of demolition.
17. Personal notice of the making of a clearance order for demolition of buildings.
18. Advertisement of the making of a clearance order for demolition of buildings.
19. Personal notice of the making of a clearance order for demolition of houses but postponing demolition.
20. Advertisement of the making of a clearance order for demolition of houses but postponing demolition.
21. Advertisement and personal notice of clearance order which has been confirmed.
22. Notice to occupier to quit building after clearance order has become operative.
23. Notice requiring demolition of house the demolition of which has been postponed under a clearance order.
24. Compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area.
25. Advertisement of the making of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area.
26. Personal notice of the making of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area.
27. Advertisement and personal notice of compulsory purchase order which has been confirmed in respect of land comprised in a clearance area and land surrounded by or adjoining the area.
28. Compulsory purchase order in respect of land cleared of buildings in accordance with a clearance order.
29. Advertisement of a compulsory purchase order in respect of land cleared of buildings in accordance with a clearance order.
30. Personal notice of the making of a compulsory purchase order in respect of land which has been cleared of buildings in accordance with a clearance order.

FORM NO.

31. Advertisement and personal notice of compulsory purchase order which has been confirmed in respect of land cleared of buildings in accordance with a clearance order.
32. Declaration of unfitness order.
33. Notice of making of a declaration of unfitness order.
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 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.
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.

Regulation 2

SCHEDULE 2

FORM NO. 1

HOUSING ACT 1957

Section 159.

NOTICE BEFORE ENTRY FOR THE PURPOSE OF INSPECTION, ETC.

(*Note:—Notice must be given to the occupier, and also to the owner, if known.*)

To of , being the [occupier] [owner] of the [house] [premises] [building] known as .

Strike out words in square brackets if inapplicable.

Take Notice that in pursuance of section 159 of the Housing Act 1957, I , being a person duly authorised in writing by the Council, intend on* 19 , between the hours of and to enter the above-mentioned [house] [premises] [building] for the purpose of [survey and examination] [survey] [valuation] [measuring rooms].

*Twenty-four hours notice must be given.

Dated 19 .

Signature
Description
Residence or Place of Business
} of person authorised to enter

FORM NO. 2

HOUSING ACT 1957

Section 9.

NOTICE REQUIRING EXECUTION OF WORKS

To of

being the person having control† of the house known as ,

†See section 39(2). Notices may also be served on the persons referred to in section 9(2).

Take Notice that—

(1) the Council are satisfied that the above-mentioned house is unfit for human habitation;

(2) the Council are not satisfied that it cannot be rendered fit at reasonable expense; and

(3) in pursuance of section 9(1) of the Housing Act 1957, the Council require you within a period of ‡ days ending on 19 , to execute the following works, which will in the opinion of the Council render the house fit for human habitation, namely .

‡The time allowed must be reasonable, and in any event not less than twenty-one days.

Dated 19 .

Signed
Clerk of the Local Authority.

NOTES

A person aggrieved by this notice may appeal against it to the County Court. If there is no appeal, and this notice is not complied with, then, after the expiration of the time specified in the notice, the local authority may themselves do the work required by the notice to be done.

On appeal the Court may quash the notice or may confirm the notice, with or without variation. If the notice is confirmed, with or without variation, the local authority cannot exercise their power to do the work until the expiration of 21 days from the final determination of the appeal or of such longer period as the Court may have fixed.

If a person on whom a demand for the recovery of expenses incurred by the local authority in doing the work is aggrieved thereby, he may appeal against the demand to the County Court. He may similarly appeal against an order made by the local authority declaring any such expenses to be payable by instalments.

Any appeal must be brought within 21 days after the date of service of the notice, demand or order, to the County Court within the jurisdiction of which the premises to which the notice, demand or order relates are situate, and no proceedings may be taken by the local authority to enforce any notice, demand or order against which there is an appeal, until the appeal has been finally determined or withdrawn. On an appeal against a demand or order, no question can be raised which might have been raised on an appeal against the original notice requiring the execution of 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 (or in the case of a demand or order, a copy of the demand or order) 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 local authority.

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.

A lessee who, or whose agent, has incurred expenditure in executing works required by this notice, or in defraying expenses incurred by the local authority in doing so, is entitled to recover from the lessor such part (if any) of that expenditure as the lessor may agree or as may, in default of agreement between the parties, be determined by the County Court. This procedure does not apply if there is in force a charging order made by the local authority charging on the house expenses incurred by an owner in executing the works, or if there is an application from him for an order awaiting decision by the local authority.

FORM NO. 3

HOUSING ACT 1957

Sections 17(3) and 26.

CLOSING ORDER IN RESPECT OF A HOUSE IN A BUILDING PRESERVATION ORDER ETC.

Whereas the Council, being satisfied that the house known as , is unfit for human habitation and is not capable of being made fit at reasonable cost, have complied with the provisions of section 16 of the Housing Act 1957 in relation to the house;

[And Whereas no such undertaking in relation to the house as is mentioned in the said section 16 has been accepted;]

Strike out words in square brackets if inapplicable.

[And Whereas such an undertaking in relation to the house such as is mentioned in the said section 16 which was accepted on 19 , has been broken;]

And Whereas the Council [would but for the circumstance next mentioned be required to make] [on 19 made] a demolition order

under section 17 of the said Act for the demolition of the house, but the house [is] [has become] a house—

[with respect to which a building preservation order under section 30 of the Town and Country Planning Act 1962 applies:]

[included in a list compiled or approved under section 32 of the Town and Country Planning Act 1962:]

[in respect of which there is for the time being in force a notice given by the [Minister of Housing and Local Government] [Secretary of State] to the Council stating that the architectural or historic interest of the house is sufficient to render it inexpedient that the house should be demolished, pending further determination:]

Now Therefore the Council in pursuance of [section 17(3)] [section 26] of the Housing Act 1957 by this order [prohibit] [determine the said demolition order and prohibit] the use of the above mentioned house for any purpose other than a purpose approved by the Council and hereby approve the following purpose[s], namely as .

The common seal of the Council was hereunto affixed on 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 situate, and if an appeal is brought, no proceedings may be taken by the local authority to enforce the order until the appeal has been finally determined or withdrawn. An appeal cannot be brought by a person in occupation of the house under a lease or agreement of which the unexpired term 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 local authority 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 situate.

The local authority 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 (or 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 local authority.

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.

A person who knowing that this order has become operative uses the house to which it relates in contravention of the terms of the 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.

FORM NO. 4

HOUSING ACT 1957

NOTICE TO ABATE OVERCROWDING IN HOUSE LET IN LODGINGS — Section 90.

To of , being the [occupier] [person having the control and management] of the premises known as

Strike out words in square brackets if inapplicable.

Take Notice that—

(1) it appears to the Council that excessive numbers of persons are being accommodated in the above-mentioned premises having regard to the rooms available;

(2) in the opinion of the Council the rooms on the premises described in Schedule 1 to this notice are unsuitable to be occupied as sleeping accommodation, and the rooms described in Schedule 2 to this notice are unsuitable to be occupied as sleeping accommodation by more than the number of persons therein specified;

(3) you will be guilty of an offence under section 90(4) of the Housing Act 1957 if, after this notice has become operative—

(*a*) you cause or knowingly permit any room described in Schedule 1 to this notice to be occupied as sleeping accommodation or any room described in Schedule 2 to this notice to be occupied by more than the number of persons specified in that schedule; or

(*b*) you cause or knowingly permit to be accommodated on the premises such a number of persons that it is not possible without contravening sub-paragraph (*a*) of this paragraph, or using as sleeping accommodation some part of the premises not described in the schedules to this notice, to avoid persons of opposite sexes and over the age of 12 years (other than persons living together as husband and wife) occupying sleeping accommodation in the same room.

Dated 19 .

Signed

Clerk of the Local Authority.

SCHEDULE 1

(ROOMS UNSUITABLE TO BE OCCUPIED AS SLEEPING ACCOMMODATION)

SCHEDULE 2

(ROOMS UNSUITABLE TO BE OCCUPIED AS SLEEPING ACCOMMODATION BY MORE THAN THE NUMBER OF PERSONS SPECIFIED)

Rooms	*Number of persons**

*Special maxima can be prescribed in a case where some or all of the persons occupying a room are under such an age as may be specified.

NOTES

A person aggrieved by this notice may appeal against it to the County Court. The appeal must be brought within 21 days after the date of service of this notice to the County Court within the jurisdiction of which the premises to which this notice relates are situate, and if an appeal is brought, no proceedings may be taken by the local authority to enforce the notice before the appeal has been finally determined or withdrawn.

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 local authority.

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.

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.

FORM NO. 5

HOUSING ACT 1957

Section 10(5).

ORDER DECLARING EXPENSES OF EXECUTION OF WORKS TO BE PAYABLE BY INSTALMENTS

Strike out words in square brackets if inapplicable.

To of , being the [owner] [occupier] of the house known as .

Whereas the Council have incurred expenses amounting to the sum of £ in doing work to the above-mentioned house which was required to be done by a notice duly served under section 9 of the Housing Act 1957 on the person having control of the house, being work which he failed to do:

Now Therefore the Council, by this order, in pursuance of section 10(5) of the said Act of 1957, declare that the said expenses amounting to the sum of £ shall be payable by instalments of £ within a period of * years with interest at the rate of £ per cent. per annum until the whole amount is paid.

* Not exceeding 30 years.

The common seal of the Council was hereunto affixed on 19 , in the presence of .

NOTES

The local authority may make the expenses payable by weekly or any other periodic instalments they may consider appropriate, and the rate of interest to be charged is fixed by the Minister of Housing and Local Government with the approval of the Treasury.

Any sum due under this order may be recovered summarily as a civil debt from any owner or occupier of the house, and if recovered from the occupier may be deducted by him from the rent of the house.

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 situate, and if an appeal is brought, no proceedings may be taken by the local authority to enforce the order until the appeal has been finally determined or withdrawn. On an appeal no question can be raised which might have been raised on an appeal against the original notice requiring the execution of 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 order 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 local authority.

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.

FORM NO. 6

HOUSING ACT 1957

Section 16.

NOTICE OF TIME AND PLACE FOR CONSIDERATION OF CONDITION OF HOUSE LIABLE TO BE MADE SUBJECT TO DEMOLITION OR CLOSING ORDER

To of , being the person having control* of the house known as ,

* See section 39(2).

and to of , being the owner[s] of the said house, and to of , being the mortgagee[s] of the said house.

Take Notice that the Council are satisfied that the above-mentioned house is unfit for human habitation and is not capable of being made fit at reasonable cost, and that the condition of the house, and any offer with respect to the carrying out of works, or the future use of the house, which you may wish to submit will be considered by the Council at on † 19 , at o'clock when you will be entitled to be heard.

† In any case at least 21 days from date of service of notice, but a later date may ensure a reasonable period for submission of list of works in the event of notice of intention to submit an offer being served on the Council.

If you intend to submit an offer with respect to the carrying out of works, you are required to serve notice in writing upon the Council stating your intention within 21 days from the date of service of this notice on you, and if you give such notice you will be required to submit a list of the works which you offer to carry out.

If you fail either—

(a) to notify the Council within the period of 21 days referred to above of your intention to make an offer to carry out works, and within such reasonable period as the Council may allow submit to them a list of the works which you offer to carry out; or

(b) to make an offer before or at the meeting mentioned above as to the future use of the house,

the Council will be bound to make an order for the demolition or closing of the house or they may purchase it for providing temporary housing accommodation.

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 7

HOUSING ACT 1957

ORDER FOR DEMOLITION OF A HOUSE

Section 17(1).

Whereas the Council, being satisfied that the house known as is unfit for human habitation and is not capable of being made fit at reasonable cost, have complied with the provisions of section 16 of the Housing Act 1957, in relation to the house;

Strike out words in square brackets if inapplicable.

[And Whereas no such undertaking in relation to the house as is mentioned in the said section 16 has been accepted:]

[And Whereas such an undertaking in relation to the house as is mentioned in the said section 16, which was accepted on 19 , has been broken:]

Now Therefore the Council in pursuance of section 17 of the Housing Act 1957, hereby order as follows:—

(1) the house shall be vacated within *days from the date on which this order becomes operative;

*This period must not be less than 28 days.

(2) the house shall be demolished within 6† weeks from the expiration of the last-mentioned period, or, if it is not vacated before the expiration of that period, within 6† weeks from the date on which it is vacated.

†A longer period may be allowed.

The common seal of the Council was hereunto affixed on 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 situate, and if an appeal is brought, no proceedings may be taken by the local authority to enforce the order until the appeal has been finally determined or withdrawn. An appeal cannot be brought by a person in occupation of the house under a lease or agreement of which the unexpired term does not exceed three years.

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 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 local authority.

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 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.

A person who knowing that this order has become operative enters into occupation of the house to which it applies, or any part thereof, after the date by which the order requires the house to be vacated, or permits any other person to enter into such occupation after that date, 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 the occupation continues after conviction.

If the owner of the house to which this order relates 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 submits proposals to the local authority for the execution by him of works designed to secure the reconstruction, enlargement or improvement of the house, or of any buildings of which the house is one, and the local authority are satisfied that the result of the works will be the provision of one or more houses fit for human habitation, the authority have power to extend for such period as they may specify the time within which the owner of the house is required to demolish it in order that the person submitting the proposals may have an opportunity of carrying out the works. The authority have a discretionary power of further extending the time. If the works are completed to the satisfaction of the authority, they must revoke this order. This will not prevent them from commencing proceedings subsequently in relation to the making of a demolition order if the house again becomes unfit for human habitation.

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.

Compensation

If a person interested in the house to which this order applies thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within three months after the service of a copy of the order on persons interested make a representation to the local authority accordingly. A form of representation may be obtained at the Council Offices. A person on whom a copy of this order is served who has a tenant in occupation of the house or any part of it is requested to bring this paragraph to the notice of any such occupier.

Unless the local authority notify a person making a representation that they do not consider that the house has been well maintained, he will, on the vacation of the house, be entitled to a payment from them under section 30 of the Housing Act 1957, calculated in accordance with Part I of Schedule 2 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. If the local authority give him notice that no payment falls to be made to him, and he is aggrieved by that notice, he can within 21 days after the date of its service on him appeal to the County Court within the jurisdiction of which the house is situate, unless he agrees with the local authority to submit the matter to arbitration. (See the second and third paragraphs of these Notes as to the requirements of the County Court Rules.)

If this order becomes operative, and the house has been occupied for business purposes, compensation may become payable on the vacation of the house in pursuance of the order, provided that certain conditions are fulfilled. Broadly these are that the house must have been wholly or partly occupied for business

purposes by a person having a freehold interest or a leasehold interest for more than a year at the date of the making of the order and either on 13th December 1955 or at all times during the ten years preceding the date of the making of the order.

*There may also be compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the demolition order was made by the local authority before 13th December 1965 or, if on or after that date, within 15 years of the purchase. In such cases, entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

Any person on whom a copy of this order is served who thinks that if the order becomes operative he may have a claim to compensation on the vacation of the house should notify the clerk of the local authority in writing of the facts on which he relies, as it is important to establish the facts relating to ownership or occupation as soon as possible.

The compensation if it becomes payable is the market value of the interest of the person entitled to compensation, less the value of his interest in the site, which he retains after the demolition of the house. A person who is entitled to such compensation cannot also receive a payment for good maintenance.

Any compensation paid (other than a payment for good maintenance) may in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Any mortgagor or mortgagee of the house in this order, and any person either buying or selling it by instalments, should seek advice as to the right, which he may have in certain circumstances, of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where compensation is payable under the paragraph above marked * and to owner-occupied houses.

FORM NO. 8

HOUSING ACT 1957

NOTICE OF INTENTION TO CLEANSE BUILDING TO WHICH A DEMOLITION ORDER OR CLEARANCE ORDER APPLIES

Sections 25 and 44(7).

To* of , the owner of the building known as , being premises to which a [demolition order made] [clearance order confirmed] on 19 applies.

* To be served between date on which order is made or confirmed and date on which it becomes operative.

Take Notice that the Council in pursuance of their powers under [section 25] [sections 25 and 44(7)] of the Housing Act 1957, intend to cleanse the above-mentioned premises from vermin before they are demolished.

Strike out words in square brackets if inapplicable.

Dated 19 .

Signed
Clerk of the Local Authority.

NOTE

After the service of this notice the demolition of the premises must not be begun, or, if begun, be continued until the local authority have served a further notice authorising the demolition to proceed. At any time after the order has become operative and the premises have been vacated the local authority may enter and carry out such work as they think requisite for the purpose of destroying or removing vermin. If at any time after the premises have been vacated the local authority have not done this, the owner can serve notice in writing on them requiring them to carry out the work within 14 days, at the end of which period he will be free to proceed with the demolition whether the work has been completed or not.

FORM NO. 9

HOUSING ACT 1957

Sections 25 and 44(7).

NOTICE TO PROCEED WITH DEMOLITION AFTER A BUILDING HAS BEEN CLEANSED

To of , being the owner of the premises known as .

Take Notice that—

Strike out words in square brackets if inapplicable.

(1) the Council have completed the cleansing of the above-mentioned premises which are subject to a [demolition order] [clearance order] which became operative on 19 , and in relation to which a notice of intention to cleanse was served upon you by the Council on 19 ;

(2) you are hereby authorised to proceed with the demolition of the said premises in accordance with the said order; and

(3) you are accordingly required to proceed with the demolition and to complete it within 6 weeks from the date of the service of this notice on you or such longer period (if any) as may have been allowed by the said order.

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 10

HOUSING ACT 1957

Section 22.

NOTICE TO OCCUPIER TO QUIT HOUSE AFTER DEMOLITION ORDER HAS BECOME OPERATIVE

To , the occupier of the house known as .

Take Notice that—

(1) on 19 , the Council duly made a demolition order which requires—

(*a*) the above-mentioned house to be vacated within days from the date on which the order becomes operative; and

(*b*) the said house to be demolished within weeks from the end of the period mentioned in (*a*) above, or if the house is not vacated before the end of that period, within weeks from the date on which it is vacated;

(2) the demolition order became operative on 19 ;

*28 days from service of this notice or end of period mentioned in demolition order, if later.

(3) in pursuance of section 22 of the Housing Act 1957, you are hereby required to quit the said house before* 19 .

Dated 19 .

Signed
Clerk of the Local Authority.

NOTES

If at any time after the date on which this notice requires the house to be vacated any person is in occupation of the house, or of any part thereof, the local authority or any owner of the house may complain to a magistrates court, who are thereupon required to order vacant possession of the house to be given to the person making the complaint.

A person who knowing that the demolition order has become operative enters into occupation of the house to which it applies, or any part thereof, after the date by which the order requires the house to be vacated, or permits any other person to enter into such occupation after that date, 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 the occupation continues after conviction.

FORM NO. 11

HOUSING ACT 1957

NOTICE OF DETERMINATION BY LOCAL AUTHORITY TO PURCHASE HOUSE IN LIEU OF MAKING A DEMOLITION ORDER

Section 17(2).

To of , being the owner of the house known as

Take Notice that—

(1) the Council, having been satisfied that the above-mentioned house was unfit for human habitation and was not capable of being rendered fit at reasonable expense, and having complied with the provisions of section 16 of the Housing Act 1957, in relation to the house, [have not accepted any such] [accepted such an] undertaking as is mentioned in the said section [the terms of which have been broken];

Strike out words in square brackets if inapplicable.

(2) it appears to the Council that the house is or can be rendered capable of providing accommodation which is adequate for the time being; and

(3) the Council have accordingly determined to purchase the house under section 17(2) of the Housing Act 1957, in lieu of making a demolition or closing order in respect thereof.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

A person aggrieved by this notice may appeal against it within 21 days after the date of the service of the notice to the County Court within the jurisdiction of which the house is situate. An appeal cannot be brought by a person in occupation of the house under a lease or agreement of which the unexpired term does not exceed three years.

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 local authority.

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 notice will become operative 21 days after the date of the service of the notice unless an appeal has been brought against it. If an appeal is brought, the notice will not become operative until the appeal is finally determined or withdrawn. When the notice has become operative the local authority may purchase the house by agreement or may be authorised by the [Minister of Housing and Local Government] [Secretary of State] to purchase it compulsorily.

Compensation

If the house is purchased compulsorily, the compensation payable is the value of the land as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws or building regulations for the time being in force in the district.

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.

If any person interested in the house to which this notice relates thinks that notwithstanding its unfitness the house has been well maintained by him

or at his expense, he may, within three months after the service of this notice make a representation to the local authority accordingly. A form of representation may be obtained at the Council Offices. A person on whom this notice is served who has a tenant in occupation of the house or any part of it is requested to bring this paragraph to the notice of any such occupier.

Unless the local authority notify a person making a representation that they do not consider that the house has been well maintained, he will be entitled to a payment from them under section 30 of the Housing Act 1957, calculated in accordance with Part I of Schedule 2 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. If the local authority give him notice that no payment falls to be made to him, and he is aggrieved by that notice, he can within 21 days after the date of its service on him appeal to the County Court within the jurisdiction of which the house is situate, unless he agrees with the local authority to submit the matter to arbitration. (See the second and third paragraphs of these Notes as to the requirements of the County Court Rules.)

Additional compensation may become payable if the house has been occupied for business purposes, provided that certain conditions are fulfilled. Broadly these are that the house must have been wholly or partly occupied for business purposes by a person having a freehold interest or a leasehold interest for more than a year at the date of the making of the compulsory purchase order and either on 13th December 1955, or at all times during the ten years preceeding the date of the making of the order.

*There may also be additional compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the compulsory purchase order is made by the local authority before 13th December 1965 or, if on or after that date, within 15 years after the purchase. In such cases, entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

If a person thinks that, if this notice becomes operative, he may have a claim to this further compensation on the compulsory purchase of the house, he should notify the clerk of the local authority in writing of the facts on which he relies, as it is important to establish the facts relating to ownership or occupation as soon as possible.

The further compensation, if it becomes payable, is the market value of the interest of the person entitled to compensation, less site value. A person entitled to such compensation cannot also receive a payment for good maintenance.

The total amount payable in respect of the interest of the owner-occupier of a private dwelling, excluding any compensation attributable to disturbance or to severance or injurious affection, will not in any event be less than the gross value of the dwelling for rating purposes.

Any compensation paid (other than a payment for good maintenance) may in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Any mortgagor or mortgagee of the house and any person either buying or selling it by instalments, should seek advice as to the right, which he may have in certain circumstances, of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where additional compensation is payable under the paragraph above marked * and to owner-occupied houses.

FORM NO. 12

HOUSING ACT 1957

NOTICE OF TIME AND PLACE FOR CONSIDERATION OF MATTERS RELATING TO THE MAKING OF A CLOSING ORDER IN RESPECT OF PART OF A BUILDING

Section 18.

To of , being the person having control* of the part of the building known as , which comprises , and to of , being the owner[s] of the premises, and to of , being the mortgagee[s] of the premises.

*See section 39(2).

Strike out words in square brackets if inapplicable.

Take Notice that the Council are satisfied that the above-mentioned part of the said building [which is used, or is suitable for use, as a dwelling] [which is an underground room such as is referred to in section 18(2) of the Housing Act 1957] is unfit for human habitation and is not capable of being rendered fit at reasonable expense, and that the condition thereof, and any offer with respect to the carrying out of works, or the future use thereof, which you may wish to submit, will be considered by the Council at a meeting at on † 19 , at o'clock when you will be entitled to be heard.

† In any case at least 21 days from date of service of notice, but later if necessary to ensure a reasonable period for submission of list of works in the event of notice of intention to submit an offer being served on the Council.

If you intend to submit an offer with respect to the carrying out of works, you are required to serve upon the Council notice in writing stating your intention within 21 days from the date of service of this notice on you, and if you give such notice you will be required before the meeting mentioned above to submit to them a list of the works which you offer to carry out.

If you fail either—

(a) to notify the Council within the period of 21 days referred to above of your intention to make an offer to carry out works, and within such reasonable period as the Council may allow submit to them a list of the works which you offer to carry out; or

(b) to make an offer before or at the meeting mentioned above as to the future use of the part of the building to which this notice relates,

the Council will be bound to make an order for the closing thereof.

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 13

HOUSING ACT 1957

CLOSING ORDER IN RESPECT OF PART OF A BUILDING

Section 18.

Whereas the Council, being satisfied that the part of the building known as , which comprises , and [which is used, or is suitable for use, as a dwelling] [which is an underground room such as is referred to in section 18(2) of the Housing Act 1957,] is unfit for human habitation and is not capable of being rendered fit at reasonable expense, have complied with the provisions of section 16 of the Housing Act 1957, in relation to the premises;

Strike out words in square brackets if inapplicable.

[And Whereas no such undertaking in relation to the premises as is mentioned in the said section 16 has been accepted:]

[And Whereas such an undertaking in relation to the premises as is mentioned in the said section 16, which was accepted on 19 , has been broken:]

Now Therefore the Council in pursuance of section 18 of the Housing Act 1957, by this order prohibit the use of the above-mentioned [part of the said building] [room] for any purpose other than a purpose approved by the Council and hereby approve the following purpose[s], namely as .

The common seal of the Council was hereunto affixed on 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 premises to which the order relates are situate, and if an appeal is brought no proceedings may be taken by the local authority 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 premises under a lease or agreement of which the unexpired term 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 local authority must not unreasonably refuse their approval of a proposed use of the premises 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 premises are situate.

The local authority must determine this order if at any time after it has become operative they are satisfied that the premises to which it relates have been rendered fit for human habitation. A person aggrieved by their refusal to determine the order (except a person in occupation of the premises under a lease or agreement of which the unexpired term does not exceed three years) may within 21 days after the refusal 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 (or 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 local authority.

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.

A person who knowing that this order has become operative uses the premises to which it relates in contravention of the terms of the order, or permits them 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 them or permits them to be so used after conviction.

FORM NO. 14

HOUSING ACT 1957

Proviso to section 17(1).

CLOSING ORDER IN LIEU OF DEMOLITION ORDER IN RESPECT OF A HOUSE

Whereas the Council, being satisfied that the house known as , is unfit for human habitation and is not capable of being made fit at reasonable cost, have complied with the provisions of section 16 of the Housing Act 1957, in relation to the house;

Strike out words in square brackets if inapplicable.

[And Whereas no such undertaking in relation to the house as is mentioned in the said section 16 has been accepted;]

[And Whereas such an undertaking in relation to the house as is mentioned in the said section 16, which was accepted on 19 , has been broken;]

And Whereas the Council would be required, apart from the provisions of the proviso to section 17(1) of the said Act, to make an order for the demolition of the house, but the Council consider it inexpedient to make a demolition order having regard to the effect of the demolition of the house upon other houses or buildings:

Now Therefore the Council in exercise of the power conferred on them for that purpose by the proviso to section 17(1) of the Housing Act 1957, by this order prohibit the use of the above-mentioned house for any purpose other than a purpose approved by the Council and hereby approve the following purpose[s], namely as .

The common seal of the Council was hereunto affixed on 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 situate, and if an appeal is brought, no proceedings may be taken by the local authority to enforce the order until the appeal has been finally determined or withdrawn. An appeal cannot be brought by a person in occupation of the house under a lease or agreement of which the unexpired term 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 local authority 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 situate.

The local authority 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 (or 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 local authority.

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 local authority, who may then make a demolition order 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 the 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.

Compensation

If a person interested in the house to which this order applies thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within three months after the service of a copy of the order on persons interested make a representation to the local authority accordingly. A form of representation may be obtained from the Council Offices. A person on whom this order is served who has a tenant in occupation of the house or any part of it is requested to bring this paragraph to the notice of any such occupier.

Unless the local authority notify a person making a representation that they do not consider that the house has been well maintained, he will on the vacation of the house be entitled to a payment from them under section 30 of the Housing Act 1957, calculated in accordance with Part I of Schedule 2 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. If the local authority give him notice that no payment falls to be made to him, and he is aggrieved by that notice, he can within 21 days after the date of its

service on him appeal to the County Court within the jurisdiction of which the house is situate, unless he agrees with the local authority to submit the matter to arbitration. (See the fifth and sixth paragraphs of these Notes as to the requirement of the County Court Rules.)

*If this order becomes operative, there may be compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the closing order was made by the local authority before 13th December 1965 or, if on or after that date, within 15 years after the purchase. The interest owned by the claimant must be either freehold, or leasehold for more than a year; and in such cases entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

Any person on whom a copy of this order is served who thinks that if the order becomes operative he may have a claim to compensation on the vacation of the house should notify the clerk of the local authority in writing of the facts on which he relies, as it is important to establish the facts relating to ownership or occupation as soon as possible.

The compensation if it becomes payable is the market value of the interest of the person entitled to compensation, less the value of his interest in the site, which he retains after the closing order becomes operative. A person entitled to such compensation cannot also receive a payment for good maintenance.

Any compensation paid (other than a payment for good maintenance) may in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Any mortgagor or mortgagee of the house in this order, and any person either buying or selling it by instalments, should seek advice as to the right, which he may have in certain circumstances, of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where compensation is payable under the paragraph above marked * and to owner-occupied houses.

FORM NO. 15

HOUSING ACT 1957

CLEARANCE ORDER

Section 44.

Whereas by a resolution passed on 19 , the Council declared a certain area which they had duly caused to be defined on a map to be a clearance area;

And Whereas by a resolution passed on 19 , the Council determined to order the demolition of the buildings hereinafter referred to which are situate within the said clearance area:

Now Therefore the Council, in pursuance of their powers under section 44 of the Housing Act 1957, hereby order as follows:—

The area should be shown coloured pink on the map, each building therein being distinctly outlined and individually referenced.

1. The buildings specified in the schedule hereto and delineated within the area shown [coloured pink] on a map marked " Map referred to in the Clearance Order 19 ", sealed with the common seal of the Council and deposited at the offices of the Council, shall be demolished.

Strike out words in square brackets if inapplicable.

2. For the purposes of demolition each such building shall be vacated on or before the expiration of the period specified in the sixth column of the schedule hereto opposite the number and description of that building in columns 1 and 2.

3. This order may be cited as the Clearance Order 19 .

SCHEDULE

Reference numbers on map (1)	Description of buildings (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or less) (5)	Period from the date when the order becomes operative within which the building is to be vacated* (6)

*A period of not less than 28 days must be entered in this column even for a building known to be vacant.

The common seal of the Council was hereunto affixed on 19 , in the presence of .

FORM NO. 16

HOUSING ACT 1957

CLEARANCE ORDER PROVIDING FOR POSTPONEMENT OF DEMOLITION

Section 46(1), (2) and (3).

Whereas by a resolution passed on 19 , the Council declared a certain area which they had duly caused to be defined on a map to be a clearance area;

And Whereas by a resolution passed on 19 , the Council determined to order the demolition of buildings in the said clearance area, including the [house] [houses] hereinafter referred to;

Strike out words in square brackets if inapplicable.

And Whereas the Council are of opinion that the [house is] [houses are] or can be rendered capable of providing accommodation which is adequate for the time being, and that the [house] [houses] ought not to be demolished for the time being but ought to be retained for temporary use for housing purposes;

And Whereas the Council [have acquired] [are satisfied that by the time this order becomes operative they will have acquired] such rights under [a tenancy] [tenancies] of the [house] [houses] as will enable them to retain the [house] [houses] for use for housing purposes until they determine that [it is] [they are] no longer required for such use and to deal with [it] [them] in all respects as if [it was a house] [they were houses] on land in a clearance area belonging to them:

Now Therefore the Council, in pursuance of their powers under section 46 of the Housing Act 1957, hereby order as follows:—

1. The [house] [houses] specified in the schedule hereto and delineated within the area shown [coloured pink] on a map marked " Map referred to in the Clearance Order 19 ", sealed with the common seal of the Council and deposited at the offices of the Council, shall be demolished.

The area should be shown coloured pink on the map, each house therein being distinctly outlined and individually referenced.

2. The demolition of the [house] [houses] shall be postponed until the Council determine that the [house is] [houses are] no longer required for use for housing purposes.

3. This order may be cited as the Clearance Order 19 .

SCHEDULE

Reference number on map (1)	Description of houses (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or less) (5)

The common seal of the Council was hereunto affixed on 19 , in the presence of .

FORM NO. 17

HOUSING ACT 1957

PERSONAL NOTICE OF THE MAKING OF A CLEARANCE ORDER FOR DEMOLITION OF BUILDINGS

Paragraph 3(1)(*b*) of Schedule 5.

To of .

Take Notice that—

(1) the Council, in pursuance of their powers under section 44 of the Housing Act 1957, on 19 , made the Clearance Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, ordering the demolition of the buildings described in the schedule to this notice;

Strike out words in square brackets if inapplicable.

(2) copies of the order and of the map referred to therein and a map of the clearance area have been deposited at , and may be seen at all reasonable hours;

(3) the buildings included in the clearance area to which the clearance order relates in which you are interested as [owner] [mortgagee] [lessee] [occupier] are

;

(4) the order requires that for the purpose of demolition these buildings shall be vacated within [weeks] [months] after the order becomes operative;

(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, S.W.1,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before * 19 .

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

SCHEDULE

Dated 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] [Secretary of State] may, if he thinks fit, confirm the clearance 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 by him for that 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 this order is confirmed by the [Minister of Housing and Local Government] [Secretary of State] it will become operative at the expiration of six weeks from the date on which notice of its confirmation is published in accordance with the provisions of the Housing Act 1957, but if proceedings in the High Court are commenced within that period for questioning the validity of the order, the court may, if satisfied that the order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.

If this order becomes operative, the owner or owners of any building to which the order applies will have to demolish that building before the expiration of six weeks from the date on which the building is required by the order to be vacated or, if it is not vacated until after that date, before the expiration of six weeks from the date on which it is vacated. In either case the period of six weeks may be extended by the local authority.

Compensation

If the order is confirmed and the [Minister of Housing and Local Government] [Secretary of State] 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 Schedule 2 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. If a person who has an interest in the house thinks that the house has been well maintained by him or at his expense, he should make a representation in writing to the [Minister of Housing and Local Government, Whitehall, S.W.1,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before the end of the objection period specified in paragraph (5) of this notice. A form of representation may be obtained from the Council Offices. Persons on whom this notice is served who have tenants on a monthly or lesser tenancy or statutory tenants in occupation of houses in respect of which the notice is served are requested to bring this paragraph to the notice of those occupiers.

If this order becomes operative, and a house to which the order applies has been occupied for business purposes, compensation may become payable on the vacation of the house in pursuance of the order, provided that certain conditions are fulfilled. Broadly these are that the house must have been wholly or partly occupied for business purposes by a person having a freehold interest or a leasehold interest for more than a year at the date of the making of the order and either on 13th December 1955, or at all times during the ten years preceding the date of the making of the order.

*There may also be compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the clearance order was made by the local authority before 13th December 1965 or, if on or after that date, within 15 years of the purchase. In such cases, entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

Any person on whom this notice is served who thinks that if the order becomes operative he may have a claim to compensation on the vacation of the house should notify the clerk of the local authority in writing of the facts on which he relies. The question whether any compensation will be payable will not be settled at this stage, but it is important to establish the facts relating to ownership or occupation as soon as possible.

The compensation if it becomes payable is the market value of the interest of the person entitled to compensation, less the value of his interest in the site, which he retains after the order becomes operative. A person who is entitled to such compensation cannot also receive a payment for good maintenance.

Any compensation paid (other than a payment for good maintenance) may

in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Mortgagors and mortgagees of unfit houses in this order, and persons either buying or selling any such houses by instalments, should seek advice as to the right, which they may have in certain circumstances, of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where compensation is payable under the paragraph above marked * and to owner-occupied houses.

FORM NO. 18

HOUSING ACT 1957

ADVERTISEMENT OF MAKING OF CLEARANCE ORDER FOR DEMOLITION OF BUILDINGS

Section 44 and paragraph 3(1)(*a*) of Schedule 5.

Notice is hereby given that the Council in pursuance of their powers under section 44 of the Housing Act 1957, on 19 , made the Clearance Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, ordering the demolition of the buildings described in the schedule to this notice and their vacation within the periods respectively specified in the order.

Strike out words in square brackets if inapplicable.

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

SCHEDULE

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 19

HOUSING ACT 1957

PERSONAL NOTICE OF MAKING OF CLEARANCE ORDER FOR DEMOLITION OF HOUSES BUT POSTPONING DEMOLITION

Section 46 and paragraph 3(1)(*b*) of Schedule 5.

To of .

Take Notice that—

(1) the Council, in pursuance of their powers under section 46 of the Housing Act 1957, on 19 , made the Clearance Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, ordering the demolition of the houses described in the schedule to this notice;

Strike out words in square brackets if inapplicable.

(2) copies of the order and of the map referred to therein and a map of the clearance area have been deposited at , and may be seen at all reasonable hours;

(3) the [house] [houses] to which the order relates in which you are interested as [owner] [mortgagee] [lessee] [occupier] [is] [are]

;

(4) the order requires the demolition of the houses but provides that the demolition of the [house] [houses] shall be postponed until the Council determine that [it is] [they are] no longer required for use by them for housing purposes. When this happens the Council will serve notice of the period (not being less than 6 weeks) within which the house is required to be demolished;

*A reasonable period should be allowed, and in any case not less than 14 days.

(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.,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before * 19 .

SCHEDULE

Dated 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] [Secretary of State] 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 by him for that purpose, and to consider any objections 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] [Secretary of State] it will become operative at the expiration of six weeks from the date on which notice of its confirmation is published in accordance with the provisions of the Housing Act 1957, but if proceedings in the High Court are commenced within that period for questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.

Compensation

If the order is confirmed and the [Minister of Housing and Local Government] [Secretary of State] 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 Schedule 2 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. If a person who has an interest in the house but who will not be entitled to compensation thinks that the house has been well maintained by him or at his expense, he should make a representation in writing to the [Minister of Housing and Local Government, Whitehall, S.W.1.,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before the end of the objection period specified in paragraph (5) of this notice. A form of representation may be obtained from the Council Offices. Persons on whom this notice is served who have tenants on a monthly or lesser tenancy or statutory tenants in occupation of houses or parts of houses in respect of which the notice is served are requested to bring this paragraph to the notice of those occupiers.

If this order becomes operative, and a house to which the order applies has been occupied for business purposes, compensation may become payable on the vacation of the house in pursuance of the order, provided that certain conditions are fulfilled. Broadly these are that the house must have been wholly or partly occupied for business purposes by a person having a freehold interest or leasehold interest for more than a year at the date of the making of the order and either on 13th December 1955, or at all times during the ten years preceding the date of the making of the order.

*There may also be compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the clearance order was made by the local authority before 13th December 1965 or, if on or after that date, within 15 years of the purchase. In such cases, entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

Any person on whom this notice is served who thinks that if the order becomes operative he may have a claim to compensation on the vacation of the house should notify the clerk of the local authority in writing of the facts on which he relies. The question whether any compensation will be payable will not be settled at this stage, but it is important to establish the facts relating to ownership or occupation as soon as possible.

The compensation if it becomes payable is the market value of the interest of the person entitled to compensation, less the value of his interest in the site, which he retains after the order becomes operative. A person who is entitled to such compensation cannot also receive a payment for good maintenance.

Any compensation paid (other than a payment for good maintenance) may in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Mortgagors and mortgagees of unfit houses in this order, and persons either buying or selling any such houses by instalments, should seek advice as to the right, which they may have in certain circumstances, of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where compensation is payable under the paragraph above marked * and to owner-occupied houses.

Section 46 and paragraph 3(1)(*a*) of Schedule 5.

FORM NO. 20

HOUSING ACT 1957

ADVERTISEMENT OF MAKING OF CLEARANCE ORDER FOR DEMOLITION OF HOUSES BUT POSTPONING DEMOLITION

Notice is hereby given that the Council, in pursuance of their powers under section 46 of the Housing Act 1957, on 19 , made the Clearance Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, ordering the demolition of the houses described in the schedule to this notice, but postponing their demolition until the Council determine that they are no longer required for use by them for housing purposes.

Strike out words in square brackets if inapplicable.

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

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

Paragraph 1 of Schedule 4.

FORM NO. 21

HOUSING ACT 1957

ADVERTISEMENT AND PERSONAL NOTICE OF CLEARANCE ORDER WHICH HAS BEEN CONFIRMED

*Name and address of objector who supported his objection at local inquiry (to be omitted from advertisement).

To* of .

Notice is hereby given that the [Minister of Housing and Local Government] [Secretary of State] in pursuance of the powers vested in him by the Housing Act 1957, on 19 , confirmed [with modifications] the Clearance Order 19 , made by the Council under section 44 of the said Act of 1957 on 19 , and submitted to him by them on 19 , ordering the demolition of the buildings described in the schedule to this notice [and their vacation for that purpose within the periods respectively specified in the order] [but postponing their demolition].

Strike out words in square brackets if inapplicable.

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

The order will become operative at the expiration of six weeks from [the date of publication of this notice] [19 , on which date a notice in like terms to this notice was published in the press], but if proceedings in the High Court are commenced within that period for questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Housing Act 1957, or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

FORM NO. 22

HOUSING ACT 1957

Section 45(2).

NOTICE TO OCCUPIER TO QUIT BUILDING AFTER CLEARANCE ORDER HAS BECOME OPERATIVE

To , being the occupier of the building known as .

Take Notice that—

(1) by the Clearance Order 19 , made by the Council in pursuance of their powers under section 44 of the Housing Act 1957, and confirmed by the [Minister of Housing and Local Government] [Secretary of State] on 19 , it was ordered that the above-mentioned building be demolished and for the purposes of demolition be vacated within [weeks] [months] from the date of the order becoming operative;

Strike out words in square brackets if inapplicable.

(2) the said clearance order became operative on 19 ;

(3) in pursuance of section 45(2) of the Housing Act 1957, you are required to quit the said building before * 19 .

*28 days from service of the notice or the end of the period mentioned in clearance order, if later.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

If at any time after the date on which this notice requires the building to be vacated any person is in occupation of the building, or of any part thereof, the local authority or any owner of the building may complain to a magistrates court, who are thereupon required to order vacant possession of the building or of the part thereof to be given to the complainant.

A person who, knowing that this clearance order has become operative and applies to the building, enters into occupation of the building, or of any part thereof, after the date by which the order requires the building to be vacated, or permits any other person to enter into such occupation after that date, 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 the occupation continues after conviction.

FORM NO. 23

HOUSING ACT 1957

Section 46(4).

NOTICE REQUIRING DEMOLITION OF HOUSE THE DEMOLITION OF WHICH HAS BEEN POSTPONED UNDER A CLEARANCE ORDER

To of ,
being the owner of the house known as .

Take Notice that—

(1) the Council have determined that the above-mentioned house (the demolition of which has been postponed under the Clearance Order 19 , which duly became operative) is no longer required by them for use for housing purposes; and

(2) you are hereby required to demolish the said house within a period of 6 * weeks from the date of this notice.

*A longer period may be allowed.

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 24

HOUSING ACT 1957

Section 43(3).

COMPULSORY PURCHASE ORDER IN RESPECT OF LAND COMPRISED IN A CLEARANCE AREA AND LAND SURROUNDED BY OR ADJOINING THE AREA

Whereas by a resolution passed on 19 , the Council declared a certain area which they had duly caused to be defined on a map to be a clearance area, that is to say, an area to be cleared of all buildings in accordance with the provisions of Part III of the Housing Act 1957;

And Whereas by a resolution passed on 19 , the Council in pursuance of their powers under section 43(1) of the said Act of 1957 determined to purchase the lands hereinafter mentioned which are comprised in the said clearance area and themselves to undertake or otherwise to secure the demolition of the buildings thereon;

[And Whereas by a resolution passed on 19 , the Council in pursuance of their powers under section 43(2) of the said Act determined to purchase other lands hereinafter mentioned as being land surrounded by or adjoining the said clearance area:]

Now Therefore the Council, in pursuance of their powers under section 43(3) of the Housing Act 1957, hereby make the following order:—

1. Subject to the provisions of this order, the Council are hereby authorised to purchase compulsorily for the purposes of the provisions of Part III of the Housing Act 1957, relating to clearance areas the following lands, namely:—

Strike out words in square brackets if inapplicable.

(*a*) the lands described in Part I of the schedule to this order and shown [coloured pink] on a map marked " Map referred to in the Compulsory Purchase Order 19 ", sealed with the common seal of the Council and deposited at the offices of the Council, which said lands were included in the said clearance area on the ground that the houses thereon were unfit for human habitation;

[(*b*) the lands described in Part II of the said schedule and shown [coloured pink hatched yellow] on the said map, being lands which were included in the said clearance area on the ground only that the buildings thereon by reason of their bad arrangement in relation to other buildings or the narrowness or bad arrangement of the streets were dangerous or injurious to the health of the inhabitants of the area;]

[(*c*) the lands described in Part III of the said schedule and [coloured grey] on the said map, which said lands are outside the said clearance area.]

2. Subject to any necessary adaptations, the provisions of section 77 of the Railways Clauses Consolidation Act 1845, and sections 78 to 85 of that Act

as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923, are hereby incorporated in this order and the provisions of that Act shall apply accordingly.

3. The sums agreed or awarded for the purchase of any land comprised in this order which is glebe land or any other land belonging to an ecclesiastical benefice or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or injury affecting any such land, shall not be paid as directed by the Compulsory Purchase Act 1965, but shall be paid to the Church Commissioners to be applied by them as money paid to them upon a sale, under the provisions of the Ecclesiastical Leasing Acts, of land belonging to a benefice.

4. This order may be cited as the Compulsory Purchase Order 19 .

SCHEDULE

*Reference numbers and colouring on map	Description of lands	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or less)
	LANDS WITHIN THE CLEARANCE AREA			
	PART I			
	PART II			
	LANDS OUTSIDE THE CLEARANCE AREA			
	PART III			

*The land comprising each reference should be distinctly outlined on the map.

The common seal of the Council was hereunto affixed on 19 , in the presence of .

FORM NO. 25

HOUSING ACT 1957

Paragraph 2(1)(*a*) of Schedule 3.

ADVERTISEMENT OF THE MAKING OF A COMPULSORY PURCHASE ORDER IN RESPECT OF LAND COMPRISED IN A CLEARANCE AREA AND LAND SURROUNDED BY OR ADJOINING THE AREA

Notice is hereby given that the Council, in pursuance of their powers under section 43 of the Housing Act 1957, on 19 , made an order which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, authorising them to purchase compulsorily the lands described in the schedule to this notice, being lands in an area declared to be a clearance area by a resolution of the Council dated 19 , and also lands surrounded by or adjoining the said area.

Strike out words in square brackets if inapplicable.

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

The order distinguishes the following classes of lands namely—

(*a*) lands included in the clearance area on which there are—

(i) houses unfit for human habitation; and

(ii) buildings which by reason only of their bad arrangement in relation to other buildings, or the narrowness or bad arrangement of the streets, are dangerous or injurious to the health of the inhabitants of the area; and

(*b*) lands outside the clearance area.

SCHEDULE

Signed

Clerk of the Local Authority.

FORM NO. 26

HOUSING ACT 1957

Paragraph 2(1)(*b*) of Schedule 3.

PERSONAL NOTICE OF THE MAKING OF A COMPULSORY PURCHASE ORDER IN RESPECT OF LAND COMPRISED IN A CLEARANCE AREA AND LAND SURROUNDED BY OR ADJOINING THE AREA

To of

Take Notice that—

(1) the Council—

(*a*) have by a resolution dated 19 declared an area to be a clearance area; and

(*b*) have on 19 , in pursuance of their powers under section 43 of the Housing Act 1957 made the Compulsory Purchase Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, authorising the Council to purchase compulsorily the lands described in the Schedule to this notice;

Strike out words in square brackets if inapplicable.

(2) the lands included in the order are—

[lands in the clearance area which the Council have determined to purchase for securing the clearance thereof by themselves undertaking or otherwise securing the demolition of the buildings thereon;]

[lands which the Council have determined to purchase as being lands surrounded by the clearance area the acquisition of which is reasonably necessary for the purpose of securing a cleared area of convenient shape and dimensions;]

[lands which the Council have determined to purchase as being lands adjoining the clearance area the acquisition of which is reasonably necessary for the satisfactory development or use of the cleared area;]

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

(4) the property in which you are interested as [owner] [mortgagee] [lessee] [occupier] is included in [that class] [those classes] of property which [is] [are] not deleted from the following:—

A—Houses in the clearance area which are unfit for human habitation.

B—Buildings in the clearance area which by reason only of bad arrangement in relation to other buildings or the narrowness or bad arrangement of the streets are dangerous or injurious to the health of the inhabitants of the area.

C—Properties outside the clearance area.

Delete the class or classes not applicable to the addressee's property.

These classes of property are distinguished in the order and on the map referred to therein.

(5) any objection to the compulsory purchase order stating the grounds of your objection must be made in writing to [the Minister of Housing and Local Government, Whitehall, S.W.1.] [the Secretary of State, Welsh Office, Cathays Park, Cardiff] before * 19 .

*A reasonable period should be allowed, and in any case not less than 14 days.

SCHEDULE

Dated 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] [Secretary of State] 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 by him for that 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.

The [Minister] [Secretary of State] is required, if he comes to the conclusion that land included in the clearance area ought not to have been included, to modify the order so as to exclude that land for all purposes from the clearance area, but if he nevertheless considers that the land may properly be purchased by the local authority as being land surrounded by the clearance area the acquisition of which is reasonably necessary for the purpose of securing a cleared area of convenient shape and dimensions, or as being land adjoining the clearance area the acquisition of which is reasonably necessary for the satisfactory development or use of the cleared area, he is required further to modify the order so as to authorise the authority to purchase the land as land outside the clearance area.

If the order is confirmed by the [Minister] [Secretary of State] it will become operative at the expiration of six weeks from the date on which notice of its confirmation is published in accordance with the provisions of the Housing Act 1957, but if proceedings in the High Court are commenced within that period for questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.

Compensation

If the order becomes operative, the compensation payable for land, including any buildings thereon, which is purchased under the order will be as follows.

For land within the clearance area on which there are houses unfit for human habitation (within class A of paragraph (4) *of this notice*) the compensation will be its value as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws or building regulations for the time being in force in the district. 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.

If the [Minister of Housing and Local Government] [Secretary of State] 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 1 of Schedule 2 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. If a person interested in the house thinks that the house has been well maintained by him or at his expense, he should make a representation in writing to the [Minister of Housing and Local Government, Whitehall, S.W.1.,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before the end of the objection period specified in paragraph (5) of this notice. A form of representation may be obtained from the Council Offices. Persons on whom this notice is served who have tenants on a monthly or lesser tenancy or statutory tenants in occupation of houses on lands in respect of which this notice is served are requested to bring this paragraph to the notice of those occupiers.

Additional compensation may be payable in respect of a house which has been occupied for business purposes, provided that certain conditions are fulfilled. Broadly these are that the house must have been wholly or partly occupied for business purposes by a person having a freehold interest or a leasehold interest for more than a year at the date of the making of the order and either on 13th December, 1955, or at all times during the ten years preceding the date of the making of the order.

*There may also be additional compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the compulsory purchase order was made by the local authority before 13th December 1965 or, if on or after that date, within 15 years after the purchase. In such cases, entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

Any person on whom this notice is served who thinks that if the order becomes operative he may have a claim to this further compensation on the compulsory purchase of the house should notify the clerk of the local authority in writing of the facts on which he relies. The question whether any compensation will be payable will not be settled at this stage, but it is important to establish the facts relating to ownership or occupation as soon as possible.

The further compensation, if it becomes payable, is the market value of the interest of the person entitled to compensation, less site value. A person who is entitled to such compensation cannot also receive a payment for good maintenance.

The total amount payable in respect of the interest of the owner-occupier of a private dwelling, excluding any compensation attributable to disturbance or to severance or injurious affection, will not in any event be less than the gross value of the dwelling for rating purposes.

For other houses, buildings and land (within classes B and C of paragraph (4) *of this notice*) the compensation will be the market value of the interest of the

person entitled to compensation, subject to the rules in Part III of Schedule 3 to the Housing Act 1957.

Any compensation paid (other than a payment for good maintenance) may in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Mortgagors and mortgagees of unfit houses in this order, and persons either buying or selling any such houses by instalments, should seek advice as to the right, which they may have in certain circumstances, of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where additional compensation is payable under the paragraph above marked * and to owner-occupied houses.

The [Minister] [Secretary of State] may disregard any objection relating solely to matters which can be dealt with by the tribunal by whom the compensation is to be assessed but the question whether the house is or is not unfit for human habitation, which decides whether site value or market value is payable, is for the Minister and not for that tribunal to consider.

Paragraph 1 of Schedule 4.

FORM NO. 27

HOUSING ACT 1957

ADVERTISEMENT AND PERSONAL NOTICE OF COMPULSORY PURCHASE ORDER WHICH HAS BEEN CONFIRMED IN RESPECT OF LAND COMPRISED IN A CLEARANCE AREA AND LAND SURROUNDED BY OR ADJOINING THE AREA

*Name and address of objector who supported his objection at local inquiry (to be omitted from advertisement).

To* of .

Strike out words in square brackets if inapplicable.

Notice is hereby given that the [Minister of Housing and Local Government,] [Secretary of State,] in pursuance of the powers vested in him by the Housing Act 1957, on 19 , confirmed [with modifications] the Compulsory Purchase Order 19 , submitted to him by the Council, authorising them to purchase compulsorily under section 43 of the said Act the lands described in the schedule to this notice, which lands are lands in an area declared to be a clearance area by a resolution of the Council dated 19 , [and also lands surrounded by and/or lands adjoining the said clearance area].

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

The order distinguishes the following classes of lands to be purchased compulsorily, namely—

(*a*) lands included in the clearance area on which there are—

(i) houses unfit for human habitation;

(ii) buildings which by reason only of their bad arrangement in relation to other buildings, or the narrowness or bad arrangement of the streets are dangerous or injurious to the health of the inhabitants of the area; and

(*b*) lands outside the clearance area.

The order will become operative at the expiration of 6 weeks from [the date of publication of this notice] [19 , on which date a notice in like terms to this was published in the press], but if proceedings in the High Court are instituted within that period for questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.

SCHEDULE

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 28

HOUSING ACT 1957

Section 51(2). COMPULSORY PURCHASE ORDER IN RESPECT OF LAND CLEARED OF BUILDINGS IN ACCORDANCE WITH A CLEARANCE ORDER

Whereas pursuant to the provisions of the Housing Act 1957, the Clearance Order 19 , made by the Council and confirmed by the [Minister of Housing and Local Government,] [Secretary of State,] became operative on 19 ;

Strike out words in square brackets if inapplicable.

And Whereas by a resolution passed on 19 , the Council in pursuance of their powers under section 51 (1) of the said Act of 1957 determined to purchase the lands hereinafter described as being lands which have been cleared of buildings in accordance with the said clearance order and which at the date of the passing of the said resolution had not been, or were not in process of being, used for building purposes, or otherwise developed in the manner stated in the said subsection (1):

Now Therefore the Council, in pursuance of their powers under section 51 (2) of the Housing Act 1957, hereby make the following order:—

1. Subject to the provisions of this order, the Council are hereby authorised to purchase compulsorily for the purposes of section 51 (5) of the said Act the lands described in the schedule hereto, which lands are shown coloured on a map marked " Map referred to in the Compulsory Purchase Order 19 ", sealed with the common seal of the Council and deposited at the offices of the Council.

2. Subject to any necessary adaptations, the provisions of section 77 of the Railways Clauses Consolidation Act 1845, and sections 78 to 85 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923, are hereby incorporated in this order and the provisions of that Act shall apply accordingly.

3. The sums agreed or awarded for the purchase of any land comprised in this order which is glebe land or any other land belonging to an ecclesiastical benefice or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or injury affecting any such land, shall not be paid as directed by the Compulsory Purchase Act 1965, but shall be paid to the Church Commissioners to be applied by them as money paid to them upon a sale, under the provisions of the Ecclesiastical Leasing Acts of land belonging to a benefice.

4. This order may be cited as the Compulsory Purchase Order 19 .

SCHEDULE

*The land comprising each reference should be distinctly outlined on the map.

*Reference numbers on map	Description of lands	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or less)

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

FORM NO. 29

HOUSING ACT 1957

ADVERTISEMENT OF A COMPULSORY PURCHASE ORDER IN RESPECT OF LAND CLEARED OF BUILDINGS IN ACCORDANCE WITH A CLEARANCE ORDER

Paragraph 2(1)(*a*) of Schedule 3.

Notice is hereby given that the Council, in pursuance of their powers under section 51 of the Housing Act 1957, on 19 , made the Compulsory Purchase Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, authorising them to purchase compulsorily the lands described in the schedule to this notice, being lands which the Council by a resolution dated 19 determined to purchase as being lands which have been cleared of buildings in accordance with the Clearance Order 19 , and which at the date of the passing of the said resolution had not been, or were not in process of being, used for building purposes or otherwise developed in the manner stated in section 51 (1) of the said Act.

Strike out words in square brackets if inapplicable.

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

SCHEDULE

Dated 19 .

Signed
Clerk of the Local Authority.

FORM NO. 30

HOUSING ACT 1957

PERSONAL NOTICE OF THE MAKING OF A COMPULSORY PURCHASE ORDER IN RESPECT OF LAND CLEARED OF BUILDINGS IN ACCORDANCE WITH A CLEARANCE ORDER

Paragraph 2(1)(*b*) of Schedule 3.

To of

Take Notice that—

(1) the Council, in pursuance of their powers under section 51 of the Housing Act 1957, on 19 , made the Compulsory Purchase Order 19 , which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] for confirmation, authorising them to purchase compulsorily the lands described in the schedule to this notice;

Strike out words in square brackets if inapplicable.

(2) the lands included in the order are lands which the Council by a resolution dated 19 , determined to purchase as being lands which have been cleared of buildings in accordance with the Clearance Order 19 , and which at the date of the passing of the said resolution had not been, or were not in process of being, used for building purposes or otherwise developed in the manner stated in section 51(1) of the said Act ;

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

(4) any objection to the order stating the grounds of objection must be made in writing to the [Minister of Housing and Local Government, Whitehall, London, S.W.1.,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before * 19 .

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

SCHEDULE

Dated 19 .

Signed
Clerk of the Local Authority.

NOTE

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, or if the [Minister] [Secretary of State] is satisfied that every objection duly made relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed, the [Minister] [Secretary of State] 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 afford the objector an opportunity of appearing before and being heard by a person appointed by him for that 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 either with or without modification.

FORM NO. 31

HOUSING ACT 1957

Paragraph 1 of Schedule 4.

ADVERTISEMENT AND PERSONAL NOTICE OF COMPULSORY PURCHASE ORDER WHICH HAS BEEN CONFIRMED IN RESPECT OF LAND CLEARED OF BUILDINGS IN ACCORDANCE WITH A CLEARANCE ORDER

*Name and address of objector who supported his objection at local inquiry (to be omitted from advertisement).

To* of .

Strike out words in square brackets if inapplicable.

Notice is hereby given that the [Minister of Housing and Local Government,] [Secretary of State,] in pursuance of the powers vested in him by the Housing Act 1957, on 19 , confirmed [with modification] the Compulsory Purchase Order 19 , submitted to him by the Council, authorising them to purchase compulsorily under section 51 of the said Act the lands described in the schedule to this notice as being lands which had been cleared of buildings in accordance with the Clearance Order 19 , but which at the date of the passing of the resolution of the Council determining to purchase the said lands had not been, or were not in process of being, used for building purposes or otherwise developed in the manner stated in section 51 (1) of the said Act.

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

The order will become operative at the expiration of 6 weeks from [the date of publication of this notice] [19 , on which date a notice in like terms to this notice was published in the press], but if proceedings in the High Court are commenced within that period for questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act, or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

FORM NO. 32

HOUSING ACT 1957

LAND COMPENSATION ACT 1961

DECLARATION OF UNFITNESS ORDER

Whereas the Council are a local authority for the purposes of Part III of the Housing Act 1957;

Strike out words in square brackets if inapplicable.

And Whereas the [house] [houses] described in the schedule hereto and shown coloured pink on the map annexed hereto [is] [are] situate on land in the area of the Council;

And Whereas [the land is situated within an area designated as the site of a new town] [and] [it is proposed that the land should be acquired compulsorily under (1)] [in pursuance of (2)];*

And Whereas the said [house is] [houses are] in the opinion of the Council unfit for human habitation and not capable at reasonable expense of being rendered so fit:

Now Therefore the Council, in pursuance of their powers under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, by this order declare the said [house] [houses] to be unfit for human habitation and not capable at reasonable expense of being rendered so fit.

This order may be cited as the (Declaration of Unfitness) Order 19 .

* The alternatives should be used according to circumstances, having regard to the provisions of paragraph 2 (1) and (2) of Schedule 2 to the Land Compensation Act 1961

(1) Specify the relevant powers.

(2) Insert the title of any compulsory purchase order made, or refer to any notice served under section 129 or 139 of the Town and Country Planning Act 1962.

SCHEDULE

The common seal of the Council was hereunto affixed on 19 , in the presence of .

FORM NO. 33

HOUSING ACT 1957

LAND COMPENSATION ACT 1961

NOTICE OF THE MAKING OF A DECLARATION OF UNFITNESS ORDER

To of , being the [owner] [mortgagee] of .

Take Notice that—

(1) the Council, in pursuance of their powers under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, made on 19 , and are about to submit to the [Minister of Housing and Local Government] [Secretary of State] for confirmation the (Declaration of Unfitness) Order 19 , declaring to be unfit for human habitation and not capable at reasonable expense of being rendered so fit the [house] [houses] described in Schedule 1 to this notice [, and shown coloured pink on the map annexed to the order], being [a house] [houses] on land which * ;

Strike out words in square brackets if inapplicable.

* Insert a reference to the relevant provisions of paragraph 2(1) of Schedule 2 to the Land Compensation Act 1961, adapting the terms of the third recital in the Declaration of Unfitness Order.

(2) the principal grounds upon which the Council are of opinion that the house[s] in which you are interested [is] [are] unfit for human habitation and not capable at reasonable expense of being rendered so fit are set out in Schedule 2 to this notice;

(3) 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, S.W.1,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before† 19 .

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

SCHEDULE 1

SCHEDULE 2

Dated 19 .

Signed
Clerk of the Local Authority.

NOTES

If no objection is duly made by any of the persons on whom notices are required to be served, or if all objections are withdrawn, the [Minister of Housing and Local Government] [Secretary of State] may, if he thinks fit, confirm the order, but in any other case he is required before confirming the order to consider any objection not withdrawn and, if either the person by whom the objection was made or the local authority so desire, he must afford that person and the authority an opportunity of appearing before and being heard by a person appointed by him for the purpose.

If the unfitness order is confirmed, the compensation payable for a house to which the order applies if it is purchased compulsorily in any of the ways mentioned in paragraph 2(1) of Schedule 2 to the Land Compensation Act 1961, and either

(*a*) the compulsory purchase order was confirmed concurrently with or after the confirmation of the unfitness order, or

(*b*) where the acquisition is in pursuance of a notice to treat deemed to have been served as mentioned in paragraph 2(2)(*b*) of the said schedule 2, the unfitness order was made before the date on which the notice to treat is deemed to have been served,

will be the value of the land on which the house stands as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws or building regulations for the time being in force in the district. The compensation payable, however, will not in any event exceed the amount of compensation which would have been payable in respect of the house it it had been compulsorily purchased otherwise than at site value.

If the [Minister of Housing and Local Government] [Secretary of State] is satisfied that a house to which this order relates, notwithstanding its unfitness, has been well maintained, he may give direction that the acquiring authority shall make a payment in respect of the house 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 Schedule 2 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. If a person interested in the house thinks that it has been well maintained by him or at his expense, he should make a representation in writing to the [Minister of Housing and Local Government, Whitehall, S.W.1,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before the end of the objection period specified in paragraph (3) of this notice. A form of representation may be obtained from the Council Offices. A person on whom this notice is served who has a tenant in occupation of the house or any part of it is requested to bring this paragraph to the notice of any such occupier.

Additional compensation may become payable if the house has been occupied for business purposes, provided that certain conditions are fulfilled. Broadly these are that the house must have been wholly or partly occupied for business purposes by a person having a freehold interest or a leasehold interest for more than a year at the date of the making of the compulsory purchase order and either on 13th December 1955, or at all times during the ten years preceding the date of the making of the order.

*There may also be additional compensation where the present owner of a freehold interest or a leasehold interest for more than a year purchased it (or is a member of the family of someone who purchased it) between 1st September 1939 and 13th December 1955, provided that the compulsory purchase order was made by the local authority before 13th December 1965 or, if on or after that date, within 15 years after the purchase. In such cases, entitlement depends upon either the original purchaser or a member of his family having occupied the house as a private dwelling on 13th December 1955 (members of the armed forces posted away, or persons changing their place of employment or occupation, being treated in certain cases as having continued in occupation).

The further compensation, if it becomes payable, is the market value of the interest of the person entitled to compensation, less site value. A person who is entitled to such compensation cannot also receive a payment for good maintenance.

Any person on whom this notice is served who thinks that if the unfitness order is confirmed and his interest is purchased compulsorily he may have a claim to this further compensation should notify the clerk of the local authority in writing of the facts on which he relies. The question whether any compensation may be payable will not be settled at this stage, but it is important to establish the facts relating to ownership and occupation as soon as possible.

The total amount payable in respect of the interest of the owner-occupier of a private dwelling, excluding any compensation attributable to disturbance or

to severance or injurious affection, will not in any event be less than the gross value of the dwelling for rating purposes.

Any compensation paid (other than a payment for good maintenance) may in addition include an amount in respect of the cost of professional fees reasonably incurred in preparing the claim.

Mortgagors and mortgagees of unfit houses in this order, and persons either buying or selling any such houses by instalments, should seek advice as to the right, which they may have in certain circumstances of applying to the County Court for modification or discharge of outstanding liabilities under a mortgage, charge or agreement to purchase by instalments. The right applies principally to houses where additional compensation is payable under the paragraph above marked * and to owner-occupied houses.

FORM NO. 34

HOUSING ACT 1961

Section 12.

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

To* of .

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

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] [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], 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 19 ‡ to make an order under section 12 of the said Act directing that such regulations shall apply to the said [house] [building] [tenement block].

‡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 19 ‡ will be taken into consideration.

Representations should be in writing and addressed to .

Dated 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

Section 12.

ORDER APPLYING MANAGEMENT REGULATIONS TO PREMISES IN MULTIPLE OCCUPATION

Whereas it appears to the Council that

* Insert address of premises.

*, 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] [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], 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:

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] [tenement block].

The common seal of the Council was hereunto affixed on

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 Section 14.

HOUSING ACT 1961

NOTICE REQUIRING EXECUTION OF WORKS TO MAKE GOOD NEGLECT OF PROPER STANDARDS OF MANAGEMENT

*Insert address of premises.

To of ,
being manager(1) of *.

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 19 †Insert date of the Council's order.
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 † 19 is concerned, neglect to comply with standards corresponding to the requirements imposed by the said regulations;

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

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

(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.

(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 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 28 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 is not able 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.

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.

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 Schedule 1 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 Schedule 2 to this notice are, in the opinion of the Council, required to render the premises reasonably suitable [for such occupation]† [for occupation by . . . [individuals] [households]];

†See section 67(1) and (4) of the Housing Act 1964.

(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.

SCHEDULE 1

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.]

SCHEDULE 2

SPECIFICATION OF WORKS

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

Dated 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;

(*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.

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 should be given notice of the appeal. The appellant may ensure that this is done by joining such persons as respondents to the appeal and in this case extra copies of the notice of appeal must be filed when the appeal is entered.

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 28 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 is not able 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.

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.

FORM NO. 38

HOUSING ACT 1961

Section 16. NOTICE REQUIRING THE PROVISION OF SATISFACTORY MEANS OF ESCAPE FROM FIRE IN A HOUSE IN MULTIPLE OCCUPATION

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 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 request 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 should be given notice of the appeal. The appellant may ensure that this is done by joining such persons as respondents to the appeal and in this case extra copies of the notice of appeal must be filed when the appeal is entered.

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 28 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 is not able 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.

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.

FORM NO. 39

HOUSING ACT 1961

Section 19.

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

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

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

Strike out words in square brackets if inapplicable.

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] [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 . . .] and to give a direction applying [that limit] [those limits] accordingly.

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

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

SCHEDULE

[Maximum number for the house]

[Part of the house	Maximum number]

Dated 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 or for occupation by a smaller number for which the house will be suitable if the works are carried out.

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

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

Section 19.

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] [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 . . .];

Strike out words in square brackets if inapplicable.

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 on 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. 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.

This direction has effect so as to make it the duty of the occupier for the time being (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)—

(*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 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 on 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 7 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 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 household respectively.

Dated 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] [Secretary of State] on 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 on
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 19 , made the Clearance Order 19 [Modification] [Revocation] Order 19 which is about to be submitted to the [Minister of Housing and Local Government] [Secretary of State] 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 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 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] [Secretary of State] 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] [Secretary of State] on 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 * 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 Local Government, Whitehall, London, S.W.1,] [Secretary of State, Welsh Office, Cathays Park, Cardiff,] before*

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 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] [Secretary of State] 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] [Secretary of State] 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 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 .

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

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

(*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] [Secretary of State] on 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 19 .

Signed

Clerk of the Local Authority.

FORM NO. 47

HOUSING ACT 1961

NOTICE OF RE-IMPOSITION OF OBLIGATIONS UNDER A CLEARANCE ORDER

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

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 19 , [has not been confirmed by the [Minister of Housing and Local Government] [Secretary of State] and accordingly the above-named building[s]] [as confirmed with modifications by the [Minister of Housing and Local Government] [Secretary of State] on 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] [Secretary of State] on 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 [* 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 6 weeks from the [said* 19]

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

[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 6 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.

[SCHEDULE

Description of building	Vacation date]

Dated 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 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 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 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 on 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 (or 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.

FORM NO. 49

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

HOUSING ACTS 1961 AND 1964

NOTICE OF INFORMATION AS TO SERVICE OF NOTICE REQUIRING WORKS

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

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.

Strike out words in square brackets if inapplicable.

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

Section 73.

HOUSING ACT 1964

CONTROL ORDER

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 appears 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 on whom 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 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

ADVERTISEMENT OF DECLARATION OF AN IMPROVEMENT AREA

Section 13. 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

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

Section 14.

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):—

(*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

(*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 15 years.

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

†Delete the word which is not applicable.

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 $\frac{\text{full}\ \dagger}{\text{reduced}}$ 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 15 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 representative 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.

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

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

Section 20.

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 15 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

Sections 15 and 16.

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF DWELLING IN AN IMPROVEMENT AREA

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

*Delete the word which is not applicable.

(*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 15 years;

(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 12 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 entry 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

Section 19.

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF DWELLING NOT IN AN IMPROVEMENT AREA

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

(*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 15 years;

*Delete the word which is not applicable.

(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 12 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 entry 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

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF TENEMENT BLOCK — Section 21.

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 15 years;

(3) the Council, in pursuance of section 21(2) of the Housing Act 1964, hereby require you to carry out, within 12 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 entry 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

SUSPENDED IMPROVEMENT NOTICE

Section 17.

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 $\frac{\text{full}\dagger}{\text{reduced}}$ 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 15 years;

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

†Delete the word which is not applicable.

(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 5 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 6 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 6 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 entry 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 15 years;

(3) the Council, in pursuance of their powers under section 17 of the Housing Act 1964, hereby require you to carry out, within 12 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 entry 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;

(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

(*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 15 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 12 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.

*This final improvement notice must be served within a period of 6 months after the expiration of 5 years from the declaration of the improvement area (section 18(1)).

†Delete the word which is not applicable.

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 entry 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

Section 18(4).

NOTIFICATION OF TENANT'S APPEAL TO THE COUNTY COURT

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 12 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 12 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.

SCHEDULE 3

Regulation 3

Column 1 Regulations Revoked	Column 2 References
The Housing (Prescribed Forms) Regulations 1957	S.I. 1957/1842 (1957 I, p. 1090)
The Housing (Prescribed Forms) (Amendment) Regulations 1959	S.I. 1959/1400 (1959 I, p. 1442)
The Housing (Prescribed Forms) (Amendment) Regulations 1962	S.I. 1962/1021 (1962 II, p. 1176)
The Housing (Prescribed Forms) (Amendment) Regulations 1965	S.I. 1965/98 (1965 I, p. 188)

Given under the official seal of the Minister of Housing and Local Government on 8th March 1966.

(L.S.) *R. H. S. Crossman,*

Minister of Housing and Local Government.

James Griffiths,

One of Her Majesty's Principal Secretaries of State.

Welsh Office.

8th March1966.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply to England and Wales, prescribe the forms of orders, notices and advertisements required to be used for the purposes of the Housing Acts 1957 to 1965. The regulations for the most part consolidate the previous Housing (Prescribed Forms) Regulations with minor and drafting amendments. In particular, certain of the forms have been amended to take account of the recent transfer of housing functions in Wales to the Secretary of State.

There are, however, the following substantive alterations of existing prescribed forms:—

(*a*) Form No. 3 is a form prescribed for the first time by regulations.

(*b*) Forms Nos. 6, 15, 16, 26 and 33 (and the notes to Form No. 26) have been revised to avoid difficulties experienced in the use of the existing forms.

(*c*) On all forms dealing with the purchase, clearance, closing or demolition of unfit property, the notes on compensation now take account of the amending provisions of the Housing (Slum Clearance Compensation) Act 1965.