STATUTORY INSTRUMENTS

1972 No. 228

HOUSING, ENGLAND AND WALES

The Housing (Prescribed Forms) Regulations 1972

Made - - -	*21st February* 1972
Laid before Parliament	*3rd March* 1972
Coming into Operation	*1st May* 1972

The Secretary of State for the Environment (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire), in exercise of their powers under section 178 of the Housing Act 1957(**a**), as extended by virtue of paragraph 2 of Schedule 2 to the Land Compensation Act 1961(**b**), section 28(2) of the Housing Act 1961(**c**), sections 44(4) and 91(5) of the Housing Act 1964(**d**) and section 91(3) of the Housing Act 1969(**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 1972 and shall come into operation on 1st May 1972.

(2) The Interpretation Act 1889(**f**) shall apply 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 1969 and Schedule 2 to the Land Compensation Act 1961.

3. The Housing (Prescribed Forms) Regulations 1966(**g**) 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, or in a form substantially to the like effect, before the coming into operation of these regulations.

SCHEDULE 1 Regulation 2

LIST OF FORMS

FORM NO.

1. Notice before entry for the purpose of inspection, etc.

2A. Notice requiring execution of works to unfit house.

2B. Notice requiring execution of works of repair.

(**a**) 1957 c. 56.
(**b**) 1961 c. 33.
(**c**) 1961 c. 65.
(**d**) 1964 c .56
(**e**) 1969 c. 33.
(**f**) 1889 c. 63.
(**g**) S.I. 1966/253 (1966 I, p. 575).

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3. Closing order in respect of a house which is a listed building etc.
4. Notice to abate overcrowding in house in multiple occupation.
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.
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.

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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 the making of a declaration of unfitness order.
34. Notice requiring the provision of necessary means of escape from fire in a house in multiple occupation where part of the house is not used for human habitation.
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 necessary 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, as amended, 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. Preliminary notice of local authority's proposals for improvement of dwelling in an improvement area declared under section 13 of the Housing Act 1964.
53. Notification of representations made in respect of dwelling not in an improvement area declared under section 13 of the Housing Act 1964.
54. Preliminary notice of local authority's proposals for improvement of dwelling not in an improvement area declared under section 13 of the Housing Act 1964.
55. Preliminary notice of local authority's proposals for improvement of dwellings in a tenement block.

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56. Immediate improvement notice in respect of dwelling in an improvement area declared under section 13 of the Housing Act 1964.

57. Immediate improvement notice in respect of dwelling not in an improvement area declared under section 13 of the Housing Act 1964.

58. Immediate improvement notice in respect of tenement block.

59. Suspended improvement notice.

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

61. 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.

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

63. Closing order in respect of part of a house in multiple occupation.

64. Notice specifying works carried out in house while subject to control order for the purpose of recovering capital expenditure incurred.

65. Notice of balances proposed to be paid under section 63(4) of the Housing Act 1969.

SCHEDULE 2 Regulation 2

FORM NO. 1

HOUSING ACT 1957 [AND HOUSING ACT 1964]

NOTICE BEFORE ENTRY FOR THE PURPOSE OF INSPECTION, ETC.

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

Strike out words in square brackets if inapplicable.

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

Housing Act 1957: Section 159 [and Housing Act 1964: section 40].

Take Notice that in pursuance of section 159 of the Housing Act 1957, [as applied by section 40 of the Housing Act 1964,] 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].

*24 hours notice must be given.

Dated 19 .

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

FORM NO. 2A

HOUSING ACT 1957

NOTICE REQUIRING EXECUTION OF WORKS TO UNFIT HOUSE

Section 9(1)

To of ,

being the person having control* of the house known as .

*See section 39(2). Copy 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 21 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 is served 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. 2B

HOUSING ACT 1957

Section 9(1A).

NOTICE REQUIRING EXECUTION OF WORKS OF REPAIR

To of ,

being the person having control* of the house known as .

*See section 39(2). Copy 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 in such state of disrepair that, although it is not unfit for human habitation, substantial repairs are required to bring it up to a reasonable standard, having regard to its age, character and locality; and

(2) in pursuance of section 9(1A) of the Housing Act 1957, the Council require you within a period of †

†The time allowed must be reasonable, and in any event not less than 21 days.

days ending on 19 ,

to execute the following works, not being works of internal decorative repair, namely .

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 is served 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

CLOSING ORDER IN RESPECT OF A HOUSE WHICH IS A LISTED BUILDING ETC.

Sections 17(3) and 26.

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 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 circumstances 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—

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

[deemed to be included in a list compiled or approved under section 32 of the Town and Country Planning Act 1962, by virtue of the provisions of section 40(10) of the Town and Country Planning Act 1968:]

[in respect of which there is for the time being in force a notice given by the [Secretary of State for the Environment] [Secretary of State for Wales] 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 3 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. (See the last paragraph of these Notes.) 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 3 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.

Compensation

Omit compensation notes if order is made under section 26.

If the order becomes operative compensation will be payable in respect of an interest of a person in the house if certain conditions are satisfied. Broadly speaking to satisfy the conditions the house must have been vacated in pursuance of this order and it must have been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which this order was made. A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was vacated) may be entitled to compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a closing order would be made within 2 years of acquisition and had no reason to believe that it was likely.

It is important that 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 write to the clerk of the local authority setting out the details of his interest in the property, as it is necessary to establish the facts concerning ownership and occupation of the house as soon as possible.

Where the full amount of compensation is payable in respect of any interest in the house, the amount will be equal to the difference between the full compulsory purchase value of that interest and its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, if a person thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within 3 months after the service of a copy of this order make a representation to the local authority accordingly. A form of representation can be obtained from 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.

Where the local authority are satisfied as to the correctness of any representation made to them by any person concerning the good maintenance of the house, that person may, on the vacation of the house in pursuance of the order, be entitled to a payment from them. If the house as a whole has been well maintained the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier). If the house as a whole has not been well maintained, but the exterior or the interior of the house has been well maintained, the amount of the payment will be one-half of what it would be for full maintenance. The amount of a payment for good maintenance cannot, however, in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest.

If the local authority on receiving any representation from any person as to good maintenance consider that the house has not been well maintained, they must serve on that person notice that no payment falls to be made to him. If 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 requirements of the County Court Rules.)

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

Any mortgagor or mortgagee of the house, or any person 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 the modification or discharge of the terms of the mortgage or other charge or agreement to purchase by instalments.

If this order is determined under section 27(2) of the Housing Act 1957 and at that time any person to whom the local authority paid compensation or made a payment for good maintenance in connection with this order is entitled to an interest of more than a year in the house, that person must on demand repay the compensation or payment to the local authority.

Form No. 4

HOUSING ACT 1957

NOTICE TO ABATE OVERCROWDING IN HOUSE IN MULTIPLE OCCUPATION — 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 £100 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 a sentence of imprisonment for a term not exceeding 3 months, or to a fine not exceeding £100, or to both.

FORM NO. 5

HOUSING ACT 1957

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

Section 10(5).

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

Strike out words in square brackets if inapplicable.

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(1)] [9(1A)] 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 Secretary of State for the Environment 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

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

Section 16.

To of , being the person having control* of the house known as , and to of , being the owner[s] of the said house, and to of , being the mortgagee[s] of the said house.

*See section 39(2).

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

†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.

on† 19 ,
at o'clock when you will be entitled to be heard.

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

Section 17(1).

ORDER FOR DEMOLITION 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:]

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

*This period must not be less than 28 days.

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

†A longer period may be allowed.

(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.

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 3 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. (See the last paragraph of these Notes.) 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 the order becomes operative compensation will be payable in the following two types of case in respect of an interest of a person in the house if certain conditions, set out in outline as follows, are satisfied—

(i) where the unfit house has been vacated in pursuance of this order and it has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which this order was made, then, if at that date the house was wholly occupied for the purposes of a private dwelling, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was vacated) may be entitled to compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a demolition order would be made within 2 years of acquisition and had no reason to believe that it was likely;

(ii) where the house has been vacated in pursuance of this order and it has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before this order was made, then, if at the date when the order was made the

house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom a copy of this order is served, who thinks that he may be entitled to compensation on the vacation of the house, if the order becomes operative, should write to the clerk of the local authority setting out the details of his interest in the property, as it is necessary to establish the facts concerning ownership and occupation of the house as soon as possible.

Where the full amount of compensation is payable in respect of any interest in the house, the amount will be equal to the difference between the full compulsory purchase value of that interest and its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, if a person thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within 3 months after the service of a copy of this order make a representation to the local authority accordingly. A form of representation can be obtained from 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.

Where the local authority are satisfied as to the correctness of any representation made to them by any person concerning the good maintenance of the house, that person may, on the vacation of the house in pursuance of the order, be entitled to a payment from them. If the house as a whole has been well maintained the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier). If the house as a whole has not been well maintained, but the exterior or the interior of the house has been well maintained, the amount of the payment will be one-half of what it would be for full maintenance. The amount of a payment for good maintenance cannot, however, in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest.

If the local authority on receiving any representation from any person as to good maintenance consider that the house has not been well maintained, they must serve on that person notice that no payment falls to be made to him. If 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.)

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

Any mortgagor or mortgagee of the house or any person 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 the modification or discharge of the terms of the mortgage or other charge or agreement to purchase by instalments.

If this order is revoked under section 24 of the Housing Act 1957 and at that time any person to whom the local authority paid compensation or made a payment for good maintenance in connection with this order is entitled to an interest of more than a year in the house, that person must on demand repay the compensation or the payment to the local authority.

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

NOTICE TO PROCEED WITH DEMOLITION AFTER A BUILDING HAS BEEN CLEANSED

Sections 25 and 44(7).

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

Take Notice that—

(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 ;

Strike out words in square brackets if inapplicable.

(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 ;

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

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

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

Section 19.

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

To of , being the person having control* of the house known as , and to of , being the owner[s] of the said house, and to of , being the mortgagee[s] of the said house.

*See section 39(2).

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 inappliable.

(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 [Secretary of State for the Environment] [Secretary of State for Wales] to purchase it compulsorily.

Compensation

If the house is purchased compulsorily the basic rule is that compensation will be assessed at site value, that is the value of the land as a site cleared of buildings and available for development in accordance with 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.

Where site value is payable in respect of an interest of a person in an unfit house, that person will in either of the following two types of case if certain conditions are satisfied, be entitled to additional compensation, amounting to the difference between the full compulsory purchase value of that interest and its site value—

(i) where the house has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which this notice of determination to purchase is served, then, if at the date when the compulsory purchase order was made the house was wholly oocupied for the purposes of a private dwelling, the full amount of this additional compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) Even a person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was purchased by the authority) may be entitled to this additional compensation if the other conditions set out in the preceding sentence are satisfied, provided that person made all reasonable enquiries and had no reason to believe

that notice of determination to purchase the house, instead of making a demolition or closing order, was likely to be served within 2 years of his acquiring the interest in it;

(ii) where the house has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before the compulsory purchase order was made, then, if at the date when the order was made the house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of this additional compensation will be payable. (If the house was only party so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom this notice is served who thinks that he may be entitled to this additional compensation on the compulsory purchase of the house if this notice becomes operative, should write to the clerk of the local authority setting out the details of his interest in the property. Compensation will not be settled at this stage, but it is necessary to establish the facts concerning ownership and occupation of the property as soon as possible.

No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, if a person thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within 3 months after the service of a copy of this notice make a representation to the local authority accordingly. A form of representation can be obtained from the Council Offices. A person on whom a copy of 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.

Where the local authority are satisfied as to the correctness of any representation made to them by any person concerning the good maintenance of the house, that person may, on the compulsory purchase of the house in pursuance of this notice, be entitled to a payment from them. If the house as a whole is well maintained the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier). If the house as a whole has not been well maintained, but the exterior or the interior of the house has been well maintained, the amount of the payment will be one-half of what it would be for full maintenance. The amount of a payment for good maintenance cannot, however, in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest.

If the local authority on receiving any representation from any person as to good maintenance consider that the house has not been well maintained, they must serve on that person notice that no payment falls to be made to him. If 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.)

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

Any mortgagor or mortgagee of the house or any person 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 the modification or discharge of outstanding liabilities under the mortgage or other charge or agreement to purchase by instalments.

FORM NO. 12

HOUSING ACT 1957

NOTICE OF TIME AND PLACE FOR CONSIDERATION OF CONDITION OF PART OF A BUILDING LIABLE TO BE MADE SUBJECT TO CLOSING ORDER

Section

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 expenses, 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 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 to 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. (See the last paragraph of these Notes.) 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.

Compensation

Strike out paragraphs in square brackets if the order relates to part of a building being an underground room referred to in Section 18(2).

[If a person considers that the interior of that part of the building to which the order relates has been well maintained by him or at his expense, notwithstanding its unfitness, he may within 3 months after the service of a copy of this order make a representation to the local authority accordingly. A form of representation can be obtained from the Council Offices. A person on whom a copy of this order is served who has a tenant in occupation of the premises is requested to bring this paragraph to the notice of any such occupier.]

[Where the local authority are satisfied as to the correctness of any representation made to them by any person concerning the good maintenance of the premises, that person may, on vacating them in pursuance of the order, be entitled to a payment from them. The amount of the payment will be one-half of the amount payable for full maintenance. (For full maintenance the payment is equal to the rateable value of the premises multiplied by 4 (or other prescribed multiplier).) The amount of a payment for good maintenance cannot, however, in any case exceed the amount (if any) by which the full compulsory purchase value of the premises exceeds its site value.]

[If the local authority on receiving any representation from any person as to good maintenance considers that the premises are not well maintained, they must serve on that person notice that no payment falls to be made to him. If 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 premises are 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 requirements of the County Court Rules.)]

[If this order is determined under section 27(2) of the Housing Act 1957 and at that time any person to whom the local authority made a payment for good maintenance in connection with the order is entitled to an interest of more than a year in the house, that person must on demand repay the payment to the local authority.]

FORM NO. 14

HOUSING ACT 1957

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

Proviso to 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;

[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 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 3 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. (See the last paragraph of these Notes.) 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 3 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 them 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 the order becomes operative compensation will be payable in respect of an interest of a person in the house if certain conditions are satisfied. Broadly speaking to satisfy the conditions the house must have been vacated in pursuance of this order and it must have been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which this order was made. A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was vacated) may be entitled to compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a closing order would be made within 2 years of acquisition and had no reason to believe that it was likely.

It is important that any person on whom a copy of this order is served, who thinks that he may be entitled to compensation on the vacation of the house if the order becomes operative, should write to the clerk of the local authority setting out the details of his interest in the property, as it is necessary to establish the facts concerning ownership and occupation of the house as soon as possible.

Where the full amount of compensation is payable in respect of any interest in the house, the amount will be equal to the difference between the full compulsory purchase value of that interest and its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, if a person thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within 3 months after the service of a copy of this order make a representation to the local authority accordingly. A form of representation can be obtained from 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.

Where the local authority are satisfied as to the correctness of any representation made to them by any person concerning the good maintenance of the house, that person may, on the vacation of the house in pursuance of the order, be entitled to a payment from them. If the house as a whole has been well maintained the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier). If the house as a whole has not been well maintained, but the exterior or the interior of the house has been well maintained,

the amount of the payment will be one-half of what it would be for full maintenance. The amount of a payment for good maintenance cannot however, in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest.

If the local authority on receiving any representation from any person as to good maintenance considers that the house has not been well maintained, they must serve on that person notice that no payment falls to be made to him. If 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 requirements of the County Court Rules.)

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

Any mortgagor or mortgagee of the house, or any person 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 the modification or discharge of the terms of the mortgage or other charge or agreement to purchase by instalments.

If this order is determined under section 27(2) of the Housing Act 1957 and at that time any person to whom the local authority paid compensation or made a payment for good maintenance in connection with this order is entitled to an interest of more than a year in the house, that person must on demand repay the compensation or payment to the local authority.

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, 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 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:—

Strike out words in square brackets if inapplicable and insert description of any other notation used.

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.

Each building should be numbered as an individual reference and distinctly outlined on the map.

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

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

FORM No. 16

HOUSING ACT 1957

CLEARANCE ORDER PROVIDING FOR POSTPONEMENT OF DEMOLITION

Whereas by a resolution passed on 19 , the Council declared a certain area which they has 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:

*Strike out words in square brackets if inapplicable and insert description of any other notation used.

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

Each house should be numbered as an individual reference and distinctly outlined on the map.

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.

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

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

FORM No. 17

HOUSING ACT 1957

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

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

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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 [Secretary of State for the Environment, 2 Marsham Street, S.W.1.] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ,] 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 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 [Secretary of State for the Environment] [Secretary of State for Wales] the Council will publish a notice in a newspaper circulating in their district stating that the [Secretary of State for the Environment] [Secretary of State for Wales] has confirmed the order and naming a place where a copy of the order as confirmed and of the order map may be seen at all reasonable hours. Where a public local inquiry is held the Council will also serve a notice in the same terms on each objector who appeared at the inquiry. If any person is aggrieved by the order as confirmed and desires to question its validity on the ground that it is not within the powers of the Housing Act 1957 or that any requirement of that Act has not been complied with, that person may apply to the High Court for that purpose within 6 weeks from the date of publication of the notice. The Court has power to suspend the operation of the order in whole or in part until the final determination of the proceedings. If the Court is satisfied that the order is not within the powers of that Act, or that any requirement of that Act has not been complied with, and that the interests of the applicant have been substantially prejudiced by the non-compliance, the order will be quashed either generally or in so far as it affects any property of the applicant. Subject to this, the order will become operative at the expiration of 6 weeks from the date of publication of the notice of confirmation of the order.

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 6 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 6 weeks from the date on which it is vacated. In either case the period of 6 weeks may be extended by the local authority.

Compensation

If the order becomes operative compensation will be payable in the following two types of case in respect of an interest of a person in a house to which this order will apply if certain conditions, set out in outline as follows, are satisfied—

*(i) where the house has been vacated in pursuance of this order and it has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which the clearance area in which the house is comprised was declared by the local authority (which must have been later than 23rd April 1968) then, if at the date when the order was made the house was wholly occupied for the purposes of a private dwelling, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was vacated) may be entitled to compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a clearance area declaration would be made within 2 years of acquisition and had no reason to believe that it was likely;

*(ii) where the house has been vacated in pursuance of this order and it has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before the order was made, then, if at the date when the order was made the house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom this notice is served, who thinks that he may be entitled to compensation if the order becomes operative, should write to the clerk of the local authority setting out the details of his interest in the property. Compensation will not be settled at this stage, but it is necessary to establish the facts concerning ownership and occupation of the property as soon as possible.

Where the full amount of compensation is payable in respect of any interest in the house, the amount will be equal to the difference between the full compulsory purchase value of that interest and its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, the Secretary of State can direct the local authority to make a payment where the house has been well maintained, and in the case where the clearance area was declared after 24th August 1969, a payment can be directed where, although the house as a whole has not been well maintained, the exterior or the interior of the house has been well maintained. For full maintenance the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier) and in the case of partial good maintenance the amount is one-half of the amount payable for full maintenance, provided that the amount of a well maintained payment cannot in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value.

Any person who thinks that he may be entitled to a payment for good maintenance should submit a claim in writing as soon as possible to the [Secretary of State for the Environment, 2 Marsham Street, London S.W.1.] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ.] Claim forms can 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 who are affected by the order are requested to bring this paragraph to their notice.

Any mortgagor or mortgagee of a house to which this order will apply, 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 the modification or discharge of the terms of the mortgage or other charge or agreement to purchase by instalments.

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

The Secretary of State cannot deal with any question of disputed compensation. The body to whom any such question should be referred for decision is the Lands Tribunal, 3 Hanover Square, London W.1., but the question whether a property is or is not correctly classified as an unfit house, is for the Secretary of State not the Tribunal to decide, and the Secretary of State will determine any question as to the purposes for which any part of the house was occupied at the date of the making of the order in relation to the compensation referred to in the sub-paragraphs marked* of these Notes.

FORM NO. 18

HOUSING ACT 1957

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

ADVERTISEMENT OF MAKING OF CLEARANCE ORDER FOR DEMOLITION OF BUILDINGS

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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

Sections 44 and 46 and paragraph 3(1)(*b*) of Schedule 5.

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

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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;

(5) any objection to the order stating the grounds of the objection must be made in writing to the [Secretary of State for the Environment, 2 Marsham Street, London, S.W.1.,] [Secretary of State for Wales, Cathays Park, Cardiff CFI 3NQ,] 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 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 this order is confirmed by the [Secretary of State for the Environment] [Secretary of State for Wales] the Council will publish a notice in a newspaper circulating in their district stating that the [Secretary of State for the Environment] [Secretary of State for Wales] has confirmed the order and naming a place where a copy of the order as confirmed and of the order map may be seen at all reasonable hours. Where a public local inquiry is held the Council will also serve a notice in the same terms on each objector who appeared at the inquiry. If any person is aggrieved by the order as confirmed and desires to question its validity on the ground that it is not within the powers of the Housing Act 1957 or that any requirement of that Act has not been complied with, that person may apply to the High Court for that purpose within 6 weeks from the date of publication of the notice. The Court has power to suspend the operation of the order in whole or in part until the final determination of the proceedings. If the Court is satisfied that the order is not within the powers of that Act, or that any requirement of that Act has not been complied with, and that the interests of the applicant have been substantially prejudiced by the non-compliance, the order will be quashed either generally or in so far as it affects any property of the applicant. Subject to this, the order will become operative at the expiration of 6 weeks from the date of publication of the notice of confirmation of the order.

Compensation

If the order becomes operative compensation will be payable in the following two types of case in respect of an interest of a person in a house to which this order will apply if certain conditions, set out in outline as follows, are satisfied—

*(i) where the house has been vacated in pursuance of this order and it has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in

the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which the clearance area in which the house is comprised was declared by the local authority (which must have been later than 23rd April 1968), then, if at the date when the order was made the house was wholly occupied for the purposes of a private dwelling, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was vacated) may be entitled to compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a clearance area declaration would be made within 2 years of acquisition and had no reason to believe that it was likely;

*(ii) where the house has been vacated in pursuance of this order and it has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before the order was made, then, if at the date when the order was made the house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom this notice is served who thinks that he may be entitled to compensation if the order becomes operative should write to the clerk of the local authority setting out the details of his interest in the property. Compensation will not be settled at this stage, but it is necessary to establish the facts concerning ownership and occupation of the property as soon as possible.

Where the full amount of compensation is payable in respect of any interest in the house, the amount will be equal to the difference between the full compulsory purchase value of that interest and its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, the Secretary of State can direct the local authority to make a payment where the house has been well maintained, and in the case where the clearance area was declared after 24th August 1969, a payment can be directed where, although the house as a whole has not been well maintained, the exterior or the interior of the house has been well maintained. For full maintenance the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier) and in the case of partial good maintenance the amount is one-half of the amount payable for full maintenance, provided that the amount of a well-maintained payment cannot in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value.

Any person who thinks that he may be entitled to a payment for good maintenance should submit a claim in writing as soon as possible to the [Secretary of State for the Environment, 2 Marsham Street, London S.W.1.] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ]. Claim forms can 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 who are affected by the order are requested to bring this paragraph to their notice.

Any mortgagor or mortgagee of a house to which this order will apply, 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 the modification or discharge of the terms of the mortgage or other charge or agreement to purchase by instalments.

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

The Secretary of State cannot deal with any question of disputed compensation. The body to whom any such question should be referred for decision is the Lands Tribunal, 3 Hanover Square, London W1., but the question whether a property is or is not correctly classified as an unfit house, is for the Secretary of State not the Tribunal to decide, and the Secretary of State will determine any question as to the purposes for which any part of the house was occupied at the date of the making of the order in relation to the compensation referred to in the sub-paragraphs marked* of these Notes.

FORM No. 20

HOUSING ACT 1957

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

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

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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.

FORM No. 21

HOUSING ACT 1957

ADVERTISEMENT AND PERSONAL NOTICE OF CLEARANCE ORDER WHICH HAS BEEN CONFIRMED

Paragraph 1 of Schedule 4.

To* of .

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

Notice is hereby given that the [Secretary of State for the Environment] [Secretary of State for Wales], in exercise of his powers under 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 areas have been deposited at , and may be seen at all reasonable hours.

If any person is aggrieved by the order as confirmed and desires to question its validity on the ground that it is not within the powers of the Housing Act 1957 or that any requirement of that Act has not been complied with, that person may apply to the High Court for that purpose within 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]. The Court has power to suspend the operation of the order in whole or in part until the final determination of the proceedings. If the Court is satisfied that the order is not within the powers of that Act or that any requirement of that Act has not been complied with, and that the interests of the applicant have been substantially prejudiced by the non-compliance, the order will be quashed either generally or in so far as it affects any property of the applicant. Subject to this, 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].

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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 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

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

Section 46(4).

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

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

Section 43(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, 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:]

Strike out words in square brackets if inapplicable.

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:—

(*a*) the lands described in Part I of the schedule to this order and shown [coloured pink](1) 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;

(1)Strike out words in square brackets if inapplicable and insert description of any other notation used.

[(*b*) the lands described in Part II of the said schedule and shown [coloured pink hatched yellow] (1) 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 shown [coloured grey](1) 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

(1)Each house included in Part I of the Schedule should, together with its appurtenant outbuildings and land, be numbered as an individual reference and distinctly outlined on the map; any outbuildings and land which are appurtenant to two or more houses should be referenced separately from the houses. Buildings and land included in Parts II and III of the Schedule should be referenced on similar principles.

Reference(2) 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 common seal of the Council was hereunto affixed on 19 , in the presence of .

FORM NO. 25

HOUSING ACT 1957

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

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

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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

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

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

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 [Secretary of State for the Environment] [Secretary of State for Wales] for confirmation, authorising the Council to purchase compulsorily the lands described in the Schedule to this notice;

Strike out words in square brackets if applicable

(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.

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

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.

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 Secretary of State for the Environment, 2 Marsham Street, London S.W.1.,] [the Secretary of State for Wales, Cathays, Park, Cardiff CF1 3NQ] before* 19 .

*A reasonable period should be allowed and in any case not less than 14 days from the 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 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 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 this order is confirmed by the [Secretary of State for the Environment] [Secretary of State for Wales] the Council will publish a notice in a newspaper circulating in their district stating that the [Secretary of State for the Environment] [Secretary of State for Wales] has confirmed the order and naming a place where a copy of the order as confirmed and of the order map may be seen at all reasonable hours. Where a public local inquiry is held the Council will also serve a notice in the same terms on each objector who appeared at the inquiry. If any person is aggrieved by the order as confirmed and desires to question its validity on the ground that it is not within the powers of the Housing Act 1957 or that any requirement of that Act has not been complied with, that person may apply to the High Court for that purpose within 6 weeks from the date of publication of the notice. The Court has power to suspend the operation of the order in whole or in part until the final determination of the proceedings. If the Court is satisfied that the order is not within the powers of that Act, or that any requirement of that Act has not been complied with, and that the interests of the applicant have been substantially prejudiced by the non-compliance, the order will be quashed either generally or in so far as it affects any property of the applicant. Subject to this, the order will become operative at the expiration of 6 weeks from the date of publication of the notice of confirmation of the order.

Compensation

If the order becomes operative the compensation payable for property included in Classes A, B and C set out in paragraph (4) of this notice, which is purchased under the order will, in outline, be as follows—

For property included in Class A the basic rule is that compensation will be assessed at site value, that 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 and if the area had not been declared to be a clearance area.

Where site value is payable in respect of an interest of a person in an unfit house, that person will in either of the following two types of case, if certain conditions are satisfied, be entitled to additional compensation, amounting to the difference between the full compulsory purchase value of that interest and its site value—

*(i) where the house has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which the clearance area in which the land is comprised was declared by the local authority (which must have been later than 23rd April 1968), then, if at the date when the order was made the house was wholly occupied for the purposes of a private dwelling, the full amount of this additional compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was purchased by the authority) may be entitled to additional compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a clearance area declaration would be made within 2 years of acquisition and had no reason to believe that it was likely;

*(ii) where the order was made after 24th August 1969 and the house has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before

this order was made, then, if at the date when the order was made the house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of this additional compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom this notice is served, who thinks that he may be entitled to this additional compensation if the order becomes operative, should write to the clerk of the local authority setting out the details of his interest in the property. Compensation will not be settled at this stage, but it is necessary to establish the facts concerning ownership and occupation of the property as soon as possible.

No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, the Secretary of State can direct the local authority to make a payment where the house has been well maintained, and in the case where the clearance area was declared after 24th August 1969, a payment can be directed where, although the house as a whole has not been well maintained, the exterior or the interior of the house has been well maintained. For full maintenance the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier) and in the case of partial good maintenance one-half of the amount payable for full maintenance, provided that the amount of a well-maintained payment cannot in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value.

Any person who thinks that he may be entitled to a payment for good maintenance should submit a claim in writing as soon as possible to the [Secretary of State for the Environment, 2 Marsham Street, London S.W.1.] [Secretary of State for Wales, Cathays Park, Cardiff, CF1 3NQ]. Claim forms can 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 who are affected by the order are requested to bring this paragraph to their notice.

Any mortgagor or mortgagee of an unfit house included in the 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 the modification or discharge of outstanding liabilities under the mortgage or other charge or agreement to purchase by instalments.

For property included in Classes B and C the compensation will be the full compulsory purchase 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.

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

The Secretary of State cannot deal with any question of disputed compensation. The body to whom any such question should be referred for decision is the Lands Tribunal, 3 Hanover Square, London, W.1. The Secretary of State may disregard any objection relating solely to matters which can be dealt with by the Tribunal, but the question whether a property is or is not correctly classified as an unfit house, which decides whether compensation is based on site value or market value, is for the Secretary of State not the Tribunal to decide, and the Secretary of State will determine any question as to the purposes for which any part of the house was occupied at the date of the making of the order in relation to the compensation referred to in the sub-paragraphs marked* of these Notes.

FORM NO. 27

HOUSING ACT 1957

Paragraph 1 of Schedule 4.

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 .

Notice is hereby given that the [Secretary of State for the Environment] [Secretary of State for Wales], in exercise of his powers under 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].

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 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.

If any person is aggrieved by the order as confirmed and desires to question its validity on the ground that it is not within the powers of the Housing Act 1957 or that any requirement of that Act has not been complied with, that person may apply to the High Court for that purpose within 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]. The Court has power to suspend the operation of the order in whole or in part until the final determination of the proceedings. If the Court is satisfied that the order is not within the powers of that Act or that any requirement of that Act has not been complied with, and that the interests of the applicant have been substantially prejudiced by the non-compliance, the order will be quashed either generally or in so far as it affects any property of the applicant. Subject to this, 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].

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 [Secretary of State for the Environment] [Secretary of State for Wales] 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 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.

*Strike out words in square brackets if inapplicable and insert description of any other notation used.

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

†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. 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 [Secretary of State for the Environment] [Secretary of State for Wales] 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

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

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

To of .

Take Notice that—

(1) the Council, in pursuance of their powers under section 41 of the Housing Act 1957, on 19 made the Compulsory Purchase Order 19 , which is about to be submitted to the [Secretary of State for the Environment] [Secretary of State for Wales] 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 [Secretary of State for the Environment, 2 Marsham Street, London, S.W.1.,] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ] 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 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 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.

Paragraph 1 of Schedule 4.

FORM NO. 31

HOUSING ACT 1957

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

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

To* of .

Strike out words in square brackets if inapplicable.

Notice is hereby given that the [Secretary of State for the Environment] [Secretary of State for Wales], in exercise of his powers under 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.

If any person is aggrieved by the order as confirmed and desires to question its validity on the ground that it is not within the powers of the Housing Act 1957 or that any requirement of that Act has not been complied with, that person may apply to the High Court for that purpose within 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]. The Court has power to suspend the operation of the order in whole or in part until the final determination of the proceedings. If the Court is satisfied that the order is not within the

powers of that Act or that any requirement of that Act has not been complied with, and that the interest the the applicant have been substantially prejudiced by the non-compliance, the order will be quashed either generally or in so far as it affects any property of the applicant. Subject to this, 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].

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;

And Whereas the [house] [houses] described in the schedule hereto and shewn [coloured pink](1) on the map annexed hereto [is] [are] situate on land in the area of the Council;

Strike out words in square brackets if inapplicable.

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 (3)] [in pursuance of (4)];(2)

(1)Strike out words in square brackets if inapplicable and insert description of any other notation used.

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:

(2)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.

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 .

(3)Specify the relevant powers.

(4)Insert the the title of any 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 [Secretary of State for the Environment] [Secretary of State for Wales] 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](1)on the map annexed to the order, being [a house] [houses] on land which (2) ;

Strike out words in square brackets if inapplicable.

(1)Strike out words in square brackets if inapplicable and insert description of any other notation used.

(2)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.

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

(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 [Secretary of State for the Environment, 2 Marsham Street, London, S.W.1.,] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ], before(3)
19 .

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 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.

Compensation

If the unfitness order is confirmed, the basic rule is that 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, as amended, 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 if it had been compulsorily purchased otherwise than at site value.

Where site value is payable in respect of an interest of a person in an unfit house, that person will in either of the following two types of case, if certain conditions are satisfied, be entitled to additional compensation, amounting to the difference between the full compulsory purchase value of that interest and its site value—

*(i) where the unfit house has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which the unfitness order was made, then, if at that date the house was wholly occupied for the purposes of a private dwelling, the full amount of this additional compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was purchased by the authority) may be entitled to additional compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether an unfitness order would be made within 2 years of acquisition and had no reason to believe that it was likely;

*(ii) where the house has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before the compulsory purchase order was made, then, if at that date the house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of this additional compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom this notice is served who thinks that he may be entitled to this additional compensation if the unfitness order is confirmed and his interest is purchased compulsorily should write to the clerk of the local authority setting out the details of his interest in the property. Compensation will not be settled at this stage, but it is necessary to establish the facts concerning ownership and occupation of the property as soon as possible.

No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, the Secretary of State can direct the local authority to make a payment where the house has been well maintained, and a payment can be directed where, although the house as a whole has not been well maintained, the exterior or the interior of the house has been well maintained. For full maintenance the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier) and in the case of partial good maintenance one-half of the amount payable for full maintenance, provided that the amount of a well maintained payment cannot in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value.

Any person who thinks that he may be entitled to a payment for good maintenance should submit a claim in writing as soon as possible to the [Secretary of State for the Environment, 2 Marsham Street, London S.W.1.] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ]. Claim forms can be obtained from the Council Offices. Persons on whom this notice is served who have tenants who are affected by the order are requested to bring this paragraph to their notice.

Any mortgagor or mortgagee of an unfit house included in the 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 the modification or discharge of outstanding liabilities under the mortgage or other charge or agreement to purchase by instalments.

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

The Secretary of State cannot deal with any question of disputed compensation. The body to whom any such question should be referred for decision is the Lands Tribunal, 3 Hanover Square, London W1., but the question whether a property is or is not correctly classified as an unfit house, which decides whether compensation is based on site value or market value, is for the Secretary of State not the Tribunal to decide, and the Secretary of State will determine any question as to the purposes for which any part of the house was occupied at the date of the making of the declaration of unfitness order in relation to the compensation referred to in the sub-paragraphs marked* of these Notes.

FORM NO. 34

HOUSING ACT 1961 AND HOUSING ACT 1969

Housing Act 1961: section 16(1) and Housing Act 1969: section 60(1).

NOTICE REQUIRING THE PROVISION OF NECESSARY MEANS OF ESCAPE FROM FIRE IN A HOUSE IN MULTIPLE OCCUPATION WHERE PART OF THE HOUSE IS NOT USED FOR HUMAN HABITATION

To of

, being [the person having control of* the house known as]

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

[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].

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 is occupied by persons who do not form a single household, is not provided with such means of escape from fire as the Council consider necessary and that it would not be practicable to provide it with such means at reasonable expense, but that, if that part of the above-mentioned house which comprises were not used for human habitation, adequate means of escape from fire could be provided at reasonable expense;

(2) in the opinion of the Council the works specified in the schedule to this notice are required to provide such means of escape from fire as will be necessary if the above-mentioned part of the house is not used for human habitation;

(3) the Council, in pursuance of section 16(1) of the Housing Act 1961, as extended by section 60(1) of the Housing Act 1969, 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 situate, 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 of these Notes) to recover any expenses reasonably incurred by them, together with interest, 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 not exceeding £100 and, on a second or subsequent

offence, either to a fine not exceeding £100 or to a sentence of imprisonment for a term not exceeding 3 months, or to both. 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. Subject to this, the person remains under an obligation to carry out the works although the period mentioned in the Note above has expired, and he is liable to a fine not exceeding £100 under section 61 of the Housing Act1969 if he wilfully fails to comply with that obligation after being convicted under section 65 of the 1964 Act of failing to comply with the notice or after being convicted under section 61 of the 1969 Act of failing to comply with the obligation. 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.

Section 12.

FORM NO. 35

HOUSING ACT 1961

ORDER APPLYING MANAGEMENT REGULATIONS TO PREMISES IN MULTIPLE OCCUPATION

*Insert address of premises.

Strike out words in square brackets if inapplicable.

Whereas it appears to the Council that *, being a [house which is occupied by persons who do not form a single household] [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 occupied by persons who do not form a single household] [tenement block within the meaning of section 69 of the Housing Act 1964, one or more of the dwellings in which are 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:

Now Therefore the Council in pursuance of section 12(1) of the Housing Act 1961, as amended by and under section 58 of the Housing Act 1969, do by this order direct that the Housing (Management of Houses in Multiple Occupation) Regulations 1962, as they have effect by virtue of the said section 58, 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 the service (or such longer period as the Council may in writing allow), 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. Section 58 of the Housing Act 1969 provides a new definition of houses in multiple occupation which applies to these Regulations.

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, either to a fine or to a sentence of imprisonment, or to both.

For the purposes of these provisions the term "lessee" includes (by virtue of section 23(7) of the Act) an underlessee, a tenant, a person interested under an agreement for a lease, underlease or tenancy, and a statutory tenant under the Rent Act 1968.

FORM NO. 36

HOUSING ACT 1961

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

To of ,

being manager (1) of *, *Insert address of premises.

Take Notice that—

(1) in the opinion of the Council the condition of the above-mentioned premises, to which the Housing (Management of Houses in Multiple Occupation) Regulations 1962 (which have effect as provided by section 58 of the Housing Act 1969) apply by virtue of an order of the Council made on 19 ,

is defective in consequence of neglect to comply with the requirements imposed by the said regulations or, in so far as any period before the said† 19 is concerned, neglect to comply with standards corresponding to the requirements imposed by the said regulations;

†Insert date of the Council's order.

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

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

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

SCHEDULE

SPECIFICATION OF WORKS

(Insert detailed specification of works to be executed.)

Dated 19 .

Signed

Clerk of the Local Authority.

(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.*

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 an 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, either to a fine or to a sentence of imprisonment, or to both. 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. Subject to this, the person remains under an obligation to carry out the works although the period mentioned in the Note above has expired, and he is liable to a fine not exceeding £100 under section 61 of the Housing Act 1969 if he wilfully fails to comply with that obligation after being convicted under section 65 of the 1964 Act of failing to comply with the notice or after being convicted under Section 61 of the 1969 Act of failing to comply with the obligation. 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

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

Section 15.

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 is occupied by persons who do not form a single household] [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 occupied by persons who do not form a single household], are so far

Strike out words in square brackets if inapplicable.

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;

(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, as amended by and under section 58 of the Housing Act 1969, 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 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, either to a fine or to a sentence of imprisonment, or to both. 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. Subject to this, the person remains under an obligation to carry out the works although the period mentioned in the Note above has expired, and he is liable to a fine not exceeding £100 under section 61 of the Housing Act 1969 if he wilfully

fails to comply with that obligation after being convicted under section 65 of the 1964 Act of failing to comply with the notice or after being convicted under section 61 of the 1969 Act of failing to comply with the obligation. 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.

Section 16.

FORM NO. 38

HOUSING ACT 1961

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

*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.

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].

Take Notice that—

(1) it appears to the Council that the above-mentioned house, being a house which is occupied by persons who do not form a single household, 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, as amended by and under section 58 of the Housing Act 1969, 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, insofar 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 think 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 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, either to a fine or to a sentence of imprisonment, or to both. 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. Subject to this, the person remains under an obligation to carry out the works although the period mentioned in the Note above has expired, and he is liable to a fine not exceeding £100 under section 61 of the Housing Act 1969 if he wilfully fails to comply with that obligation after being convicted under section 65 of the 1964 Act of failing to comply with the notice or after being convicted under section 61 of the 1969 Act of failing to comply with the obligation. 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 ACTS 1961 AND 1969

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

Housing Act 1961: Section 19; Housing Act 1969: Section 62.

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

Strike put words in square brackets if inapplicable.

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

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, as amended by section 62 of the Housing Act 1969, to fix the number[s] specified in the schedule to this notice as the highest number[s] of [individuals] [and] [households] who should, having regard to the considerations set out in section 15(1) of the Act, occupy 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 of individuals for the house]
[Maximum number of households for the house]
[Part of the house Maximum number of individuals]
[Part of the house Maximum number of households]

Dated 19 .

Signed
Clerk of the Local Authority.

NOTES

Section 15(1) of the Housing Act 1961, as amended by and under section 58 of the Housing Act 1969, provides that if the condition of a house which is occupied by persons who do not form a single household 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 [individuals] [and] [households] who may occupy 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 not to permit the number of [individuals] [or] [households] occupying the premises to increase to a number above the limit specified in the direction and, if it is for the time being above that number, not to permit it to increase further.

Strike out words in square brackets if inapplicable.

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

FORM NO. 40

HOUSING ACTS 1961 AND 1969

Housing Act 1961: section 19; Housing Act 1969: Section 62.

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

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, as amended by section 62 of the Housing Act 1969, and that the number[s] specified in the schedule hereto [is] [are] the highest number[s] of [individuals] [and] [households] who should, having regard to the considerations set out in section 15(1) of the Act, occupy 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 of individuals for the house]

[Maximum number of households for the house]

[Part of the house	Maximum number of individuals	]
[Part of the house	Maximum number of households	]

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

NOTES

This direction limits the number of [individuals] [and] [households] who may occupy 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 individuals or households, or both, accommodated for the time being on the premises, render the house not reasonably suitable for occupation by those individuals or households. Alternatively, the notice may stipulate a number of individuals or households or both

Strike out words in square brackets if inapplicable.

(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) not to permit the number of individuals or households occupying the premises to increase to a number above the limit specified in the direction and, if it is for the time being above that number, not to permit it to increase further.

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 £100 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 a sentence of imprisonment for a term not exceeding 3 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

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

Section 19.

Whereas the Council on 19 gave a direction under section 19(1) of the Housing Act 1961, as amended by section 62 of the Housing Act 1969, with respect to [the house] [part[s] of the house] known as ;

Strike out words in square brackets if inapplicable.

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 of individuals for the house]

[New maximum number of households for the house]

[Part of the house New maximum number of individuals]

[Part of the house New maximum number of households]

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

FORM NO. 42

HOUSING ACT 1961

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

Section 19.

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, as amended by section 62 of the Housing Act 1969, is in force.

Strike out words in square brackets if inapplicable.

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 households 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 1 of] the schedule to this order, being buildings comprised in the Clearance Order 19 , which was confirmed by the [Secretary of State for the Environment] [Secretary of State for Wales] 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:]

(1)[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:]

(1)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](2) 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](2) 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](2) on the map] shall be excluded from the clearance area which is delineated [and edged red](2) on the map.

(2)Delete the words in squate brackets if inapplicable and insert description of any other notation used.

2. The Clearance Order 19 (which relates to the area [coloured pink](2) 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

(3)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 . . ."

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

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

Section 24 and paragrph 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 [Secretary of State for the Environment] [Secretary of State for Wales] 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

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

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

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 [Secretary of State for the Environment] [Secretary of State for Wales] for confirmation, ordering:—

Strike out words in square brackets if inapplicable.

(*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 [Secretary of State for the Environment] [Secretary of State for Wales] on 19 ;

(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(1) 19 :—

(1)Insert date on which the order was made.

(2)[*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;]

(2)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] [occuper] [is] [are]

;

(5) any objection to the order, stating the grounds of the objection, must be made in writing to the [Secretary of State for the Environment, 2 Marsham Street, London, S.W.1,] [Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ,] before(3) 19 .

(3)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 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 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 comprised in a clearance order 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 comes into operation excluding any house from the clearance area and modifying or revoking the clearance order accordingly, and at that time any person to whom the local authority paid compensation under Schedule 2 to the Housing Act 1957 or Schedule 5 to the Housing Act 1969 or a payment

for good maintenance under section 60 of the Housing Act 1957 in connection with the clearance order is entitled to an interest of more than a year in the house, that person must on demand repay the compensation or payment to the local authority.

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

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

Notice is hereby given that the [Secretary of State for the Environment] [Secretary of State for Wales] in exercise of his powers under 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:—

Strike out words in square brackets if inapplicable.

(*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 [Secretary of State for the Environment] [Secretary of State for Wales] on 19 .

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) 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 [Secretary of State for the Environment] [Secretary of State for Wales] and accordingly the above-named building[s]] [as confirmed with modifications by the [Secretary of State for the Environment] [Secretary of State for Wales] 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 [Secretary of State for the Environment] [Secretary of State for Wales] 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] [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.

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

[SCHEDULE

Description of building	*Vacation date*]

Dated 19 .

Signed

Clerk of the Local Authority.

FORM NO. 48

HOUSING ACT 1961

CLOSING ORDER SUBSTITUTED FOR DEMOLITION ORDER IN RESPECT OF A HOUSE

Section 26.

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 of the following purpoose[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 3 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

HOUSING ACTS 1961 AND 1964

NOTICE OF INFORMATION AS TO SERVICE OF NOTICE REQUIRING WORKS

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

To

of ,

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

Strike out words in square brackets if inapplicable.

Take Notice that the Council have served a notice

(of which a copy is attached) in respect of the above-mentioned premises under [section 14] [section 15] [section 16] of the Housing Act 1961.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

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

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

FORM NO. 50

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 is occupied by person who do not form a single household;

Strike out words in square brackets if inapplicable.

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;

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, as amended by and under section 58 of the Housing Act 1969, hereby make this order for control of the house described in Part 1 of the said schedule [but excluding that part of the said house described in Part 3 of the said schedule] and are hereby empowered to enter the said house, and to take such steps as appear to them to be required to protect the safety, welfare or health of persons living in the house and otherwise to exercise the powers conferred upon them in that behalf by Part IV of the said Act.

SCHEDULE

PART 1—DESCRIPTION OF HOUSE

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

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

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

FORM NO. 51

HOUSING ACT 1964

NOTICE OF THE EFFECT OF, AND GROUNDS FOR MAKING, A CONTROL ORDER Section 73(4).

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

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

Take Notice that—

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 at an annual rate 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 already incurred under the Act.

2. The Council are generally required, not later than 8 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, and to serve copies of it in accordance with section 79 of the Housing Act 1964. If, however, the Council make a compulsory purchase order for the acquisition of the house under Part V of the Housing Act 1957 within 28 days of the making of the control order with respect to the house, the Council are not obliged to prepare a scheme or serve copies of it until they are notified of the decision on the compulsory purchase order; in which event the 8 week period for serving copies starts from that date if the order is not confirmed and from the date when the order becomes operative if the order is confirmed. A copy of this scheme

will be served on the persons interested in the house and will include a specification of the maximum number of individuals or households 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 6 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 interests 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 5 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 6 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 6 months after the previous one is disposed of except by leave of the Court. Section 63 of the Housing Act 1969 makes provision for the control order to cease to have effect where a compulsory purchase order, described in paragraph 2 of this notice, is confirmed.

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

PRELIMINARY NOTICE OF LOCAL AUTHORITY'S PROPOSALS FOR IMPROVEMENT OF DWELLING IN AN IMPROVEMENT AREA DECLARED UNDER SECTION 13 OF THE HOUSING ACT 1964

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 , pursuant to section 13 of the Housing Act 1964, 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 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 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 accessible from within the dwelling;

(*g*) a sink.

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 and 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 2 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. 53

HOUSING ACT 1964

Section19(2).

NOTIFICATION OF REPRESENTATIONS MADE IN RESPECT OF DWELLING NOT IN AN IMPROVEMENT AREA DECLARED UNDER SECTION 13 OF THE HOUSING ACT 1964

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 accessible from within the dwelling;

(*g*) a sink.

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. 54

HOUSING ACT 1964

PRELIMINARY NOTICE OF LOCAL AUTHORITY'S PROPOSALS FOR IMPROVEMENT OF DWELLING NOT IN AN IMPROVEMENT AREA DECLARED UNDER SECTION 13 OF THE HOUSING ACT 1964 Section 19.

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.

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

†Delete the word which is not applicable.

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

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

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

SCHEDULE

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

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

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

(*b*) a wash-hand basin;

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

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

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

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

(*g*) a sink.

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 and 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 2 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. 55

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 accessible from within the dwelling;

(*g*) a sink.

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 and 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. 56

HOUSING ACT 1964

Sections 15 and 16.

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF DWELLING IN AN IMPROVEMENT AREA DECLARED UNDER SECTION 13 OF THE HOUSING ACT 1964

To

of ,

being the person having control of the dwelling known as

.

Take Notice that—

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

(2) the Council are satisfied that the dwelling—

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

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

(*c*) after improvement, will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for not less than 15 years;

*Delete the word which is not applicable.

(3) the Council have received the consent in writing 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 6 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 6 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 15 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 ground 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 6 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 (which has been amended by the Compulsory Purchase Act 1965).

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. 57

HOUSING ACT 1964

Section 19.

IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF DWELLING NOT IN AN IMPROVEMENT AREA DECLARED UNDER SECTION 13 OF THE HOUSING ACT 1964

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

*Delete the word which is not applicable.

(*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;

(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 6 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 6 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 15 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 ground 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 6 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 (which has been amended by the Compulsory Purchase Act 1965).

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 21. IMMEDIATE IMPROVEMENT NOTICE IN RESPECT OF TENEMENT BLOCK

To

of ,

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

Take Notice that—

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

(2) the Council are satisfied—

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

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

(*c*) that those dwellings after being so improved will be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for not less than 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 6 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 6 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 15 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 ground 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 6 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 (which has been amended by the Compulsory Purchase Act 1965).

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 59

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

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

†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 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 ;

(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.

‡There is a "change in the occupation" when the person occupying the dwelling when this notice was served ceases to 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.

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 6 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 6 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 15 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 excution 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 ground 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 5 years from

Failure to do this within 6 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. 60

Section 17(3).

HOUSING ACT 1964

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

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 6 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 6 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 ground 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 6 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 (which has been amended by the Compulsory Purchase Act 1965).

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. 61

HOUSING ACT 1964

Section 18.

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

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 *, pursuant to section 13 of the Housing Act 1964, and having given the tenant occupying the dwelling an opportunity to apply to them for suitable alternative accommodation, have decided to exercise their powers under section 18 of the said Act to secure the improvement of the dwelling without further delay;

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

(2) the Council are satisfied that the dwelling

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

†Delete the word which is not applicable.

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

NOTES

1. This improvement notice will become operative 6 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 6 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 12 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 ground 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 6 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 (which has been amended by the Compulsory Purchase Act 1965).

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. 62

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 these 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.

FORM NO. 63

HOUSING ACT 1969

CLOSING ORDER IN RESPECT OF PART OF A HOUSE IN MULTIPLE OCCUPATION Section 60(4).

Whereas it appears to the Council that the house known as , being a house which is occupied by persons who do not form a single household, is not provided with such means of escape from fire as the Council consider necessary and that it would not be practicable to provide it with such means at reasonable expense, but that, if the part of the said house which comprises

were not used for human habitation, [the means of escape from fire with which the house is provided would be adequate] [adequate means of escape from fire could be provided at reasonable expense] ; Strike out words in square brackets if inapplicable.

[And Whereas no such undertaking in relation to the premises as is mentioned in section 60(2) of the Housing Act 1969 has been accepted ;]

[And Whereas such an undertaking in relation to the premises as is mentioned in section 60(2) of the Housing Act 1969, which was accepted on 19 , has been broken ;]

[And Whereas the Council have consulted with the fire authority concerned pursuant to section 60(5) of the said Act :]

Now Therefore the Council, in pursuance of section 60(4) of the Housing Act 1969, by this order prohibit the use of the above-mentioned part of the said 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 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 to which the order relates under a lease or agreement of which the unexpired term does not exceed 3 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.

Part II of the Housing Act 1957 applies to this order as it applies to a closing order made under section 18(1) of that Act, but the ground on which the council are required to determine this order, under section 27(2) of that Act, is that they are satisfied that the means of escape from fire with which the house is provided would be adequate (owing to a change of circumstances) even if the part of the house with respect to which this order was made were used 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 3 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. 64

HOUSING ACT 1969

Section 63(5).

NOTICE SPECIFYING WORKS CARRIED OUT IN HOUSE WHILE SUBJECT TO CONTROL ORDER FOR THE PURPOSE OF THE RECOVERY OF CAPITAL EXPENDITURE INCURRED

To . of [and of], being the *dispossessed proprietor[s] of the house known as , as respects which the Council made a control order under section 73 of the Housing Act 1964 on 19 , which ceased to have effect on 19 , by virtue of section 63(3) of the Housing Act 1969.

Strike out words in square brackets if inapplicable.

*See section 78(6) of the Housing Act 1964 for definition of dispossesed proprietor.

Take Notice that the Council, pursuant to section 63(5) of the Housing Act 1969, hereby specify the works set out in the Schedule to this notice (being works carried out in the above-mentioned house in the period before the control order ceased to have effect under section 63 of the said Act in respect of which the Council incurred capital expenditure) as being works which, if the control order had not been in force, the Council could have required some person to carry out under Part II of the Housing Act 1961, or under any other enactment relating to housing or public health, and which could not be postponed because they were urgently required for the sake of the safety, welfare or health of persons living in the house or other persons.

You may appeal to the county court within 21 days of the service of this notice, or such longer period as the Council may in writing allow.

SCHEDULE
SPECIFICATION OF WORKS

(Insert detailed specification of works carried out in the house.)

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

This notice is served on the dispossessed proprietor(s) for the purpose of enabling the Council to recover capital expenditure incurred in carrying out works in the house to which this notice relates in the period before the control order ceased to have effect under section 63 of the Housing Act 1969 (see the last paragraph of these Notes).

Any appeal to the County Court against this notice must be brought within 21 days after the date of the service of this notice, or 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.

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.

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.

On the hearing of the appeal the Court may confirm, quash or vary this notice. If no appeal is brought or if on appeal this notice is confirmed or varied, any expenditure reasonably incurred by the Council in carrying out the works specified in this notice (or specified in this notice as varied by the Court) may be deducted by the Council from the balances which they are, under section 63(4) of the Housing Act 1969, liable to pay to the dispossessed proprietor(s). So far as that expenditure exceeds those balances it may, if the house is purchased compulsorily, be deducted from the amount payable as compensation, and accordingly any interest payable on that amount must be calculated after allowing for the deduction.

Under section 63 of the Housing Act 1969 if within 28 days of the making of a control order as respects a house under section 73 of the Housing Act 1964 the Council make a compulsory purchase order for the acquisition of the house under Part V of the Housing Act 1957, and if the compulsory purchase order is confirmed and the Council enter into a contract to purchase the house or, pursuant to a notice served under section 11 of the Compulsory Purchase Act 1965, either enter and take possession of the house or authorise a person in occupation of the house (or part) to continue in occupation, by a notice served under section 98 of the Housing Act 1957, the control order ceases to have effect on the date when the contract is made or notice under section 11 is served.

FORM No. 65
HOUSING ACT 1969

NOTICE OF BALANCES PROPOSED TO BE PAID UNDER SECTION 63(4) OF THE HOUSING ACT 1969

Section 63(8).

To of [and of], being the *dispossessed proprietor[s] of the house known as , as respects which the Council made a control order under section 73 of the Housing Act 1964 on 19 , which ceased to have effect on 19 , by virtue of section 63(3) of the Housing Act 1969.

Strike out words in square brackets if inapplicable.

*See section 78(6) of the Housing Act 1964 for definition of dispossessed proprietor.

Take Notice, pursuant to section 63(8) of the Housing Act 1969, that the Council propose to pay to you under section 63(4) of the said Act the sum of £ [(to be apportioned between you in the manner provided by section 78(6) of the Housing Act 1964)], being the balances which, since the coming into force of the control order, have from time to time accrued to the Council out of the net amount of the rent and other payments received by them while the control order was in force from persons occupying the house, after deducting—

(*a*) compensation payable by the Council under sections 78 and 81 of the Housing Act 1964; and

(*b*) all expenditure, other than capital expenditure, incurred by the Council in respect of the above-mentioned house while the control order was in force, together with the appropriate establishment charges.

You may appeal to the county court within 21 days of the service of this notice, or such longer period as the Council may in writing allow.

Dated 19 .

Signed

Clerk of the Local Authority.

NOTES

Any appeal to the County Court against this notice 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.

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.

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.

On the hearing of the appeal if the Court is of opinion that the balances are unduly low for any reason within the control of the Council, having regard to the desirability of observing the standards of management contained in regulations made under section 13 of the Housing Act 1961, and to the other standards which the Council ought to observe as to the number of persons living in the house and the rents which they ought to charge, the Court must direct that, for the purposes of the Council's liability to the dispossessed proprietor(s) under section 63 of the Housing Act 1969, the balances under section 63(4) of the said Act must be deemed to be such greater sums as the Court may direct, but those sums cannot exceed the amount which, in the opinion of the Court, the dispossessed proprietor(s) may have lost by the making of the control order.

Printed copies of the Housing (Management of Houses in Multiple Occupation) Regulations 1962 (S.I. 1962/668) made under section 13 of the Housing Act 1961 may be purchased directly from H.M. Stationery Office or through any bookseller, or may be inspected at the offices of the Council. Section 58 of the Housing Act 1969 provides a new definition of houses in multiple occupation which applies to these Regulations.

Any capital expenditure reasonably incurred by the Council in carrying out works in the above-mentioned house in the period before the control order ceased to have effect under section 63(3) of the Housing Act 1969 (see the last paragraph of these Notes) which are specified in a notice served on the dispossessed proprietor(s) under section 63(5) of the said Act (or specified in such a notice as varied by the Court on an appeal against such a notice) may be deducted by the Council from the balances which they are, under section 63(4) of the said Act, liable to pay to the dispossessed proprietor(s). So far as that expenditure exceeds those balances it may, if the house is purchased compulsorily, be deducted from the amount payable as compensation, and accordingly any interest payable on that amount must be calculated after allowing for the deduction.

If different persons are dispossessed proprietors in relation to different parts of the above-mentioned house, sums payable under section 63 of the Housing Act 1969 must be apportioned between them in such manner as they may agree, (or as may, in default

of agreement, and on a reference in writing, be determined by the valuation officer) according to the proportions of the gross value of the said house properly attributable to the parts of the house in which they are respectively interested.

Under section 63 of the Housing Act 1969 if within 28 days of the making of a control order as respects a house under section 73 of the Housing Act 1964 the Council make a compulsory purchase order for the acquisition of the house under Part V of the Housing Act 1957, and if the compulsory purchase order is confirmed and the Council enter into a contract to purchase the house or, pursuant to a notice served under section 11 of the Compulsory Purchase Act 1965, either enter and take possession of the house or authorise a person in occupation of the house (or part) to continue in occupation, by a notice served under section 98 of the Housing Act 1957, the control order ceases to have effect on the date when the contract is made or notice under section 11 is served.

Peter Walker,
Secretary of State for the Environment.

21st February 1972.

Peter Thomas,
Secretary of State for Wales.

21st February 1972.

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 purpose of the Housing Acts 1957 to 1969 and the form of order and notice required to be used for the purposes of paragraph 2 of Schedule 2 to the Land Compensation Act 1961. The Regulations revoke the Housing (Prescribed Forms) Regulations 1966 ("the 1966 Regulations").

The forms prescribed by the Regulations differ from the forms prescribed by the 1966 Regulations in the following respects :—

(*a*) apart from minor and drafting amendments made to certain of the forms, alterations have been made where necessary to take account of the Secretary of State for the Environment Order 1970 (S.I. 1970/1681) ;

(*b*) on forms dealing with the purchase, clearance, closing or demolition of unfit property, the notes on compensation have been revised to take account of the provisions of Part V of the Housing Act 1969 ;

(*c*) forms dealing with multiple occupation now take account of the provisions of Part IV of the Housing Act 1969 ;

(*d*) forms dealing with the compulsory improvement of premises under Part II of the Housing Act 1964 take account of the alterations made to and in connection with the definition of "the standard amenities" for the purposes of the said Part II ;

(*e*) Forms Nos. 34 and 52 prescribed by the 1966 Regulations are not reproduced; they are no longer necessary in view of the repeal by the Housing Act 1969, of section 12(2) of the Housing Act 1961 and section 13(1) to (3) of the Housing Act 1964 ;

(*f*) Forms Nos. 2B, 34, 63, 64 and 65 are prescribed for the first time by regulations.

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