



Local Authority Enforcement Powers

- Housing Act 2004 – Improvement Notices to remove Category 1 or 2 hazards as assessed using the Housing Health and Safety Rating System.
- Building Act 1984, (Sections 77 and 78) - Owner to make a ruinous or dilapidated property safe or enable Local Authority to take emergency action to make the property safe.
- Building Act 1984 – Section 79 – A notice to require the renovation or demolition of a ruinous or dilapidated building .
- Housing Act 1985 – Demolition Orders.
- The Local Government (Miscellaneous Provisions) Act 1982, section 29 allows a Local Authority to undertake any works necessary to prevent unauthorised entry or to prevent the building from becoming a danger to public health.
- The Environmental Protection Act 1990 section 80; Building Act 1984 sections 78 allow the Local Authority to serve a notice requiring the owner to take steps to secure the property or allow the Local Authority to board it up in an emergency.
- Prevention of Damage by Pests Act 1949, sections 2-7 allows the Local Authority to serve notice to require an owner to take steps to clear the land of vermin and/or requires the owner to remove waste likely to attract vermin or gives the local authority the power to do so in the default of the owner.
- The Environmental Protection Act 1990 sections 79-81; Public Health Act 1961 section 34; Building Act 1984 section 79; Public Health Act 1961 section 34 all allow the Local Authority to serve notice on an owner to remove the nuisance or gives the local authority the power to do so in the default of the owner.
- The Town and Country Planning Act 1990 section 215 allows the Local Authority to serve notice to require an owner to take steps to remedy the unsightly land or external appearance of the property within a specified time period. Where the owner fails to comply with such a notice, the Local Authority can undertake the works in their default and place a charge on the property. For many Local Authorities this is their main tool in bringing empty properties back into occupation.



- Housing Act 2004 – Empty Dwelling Management Order (EDMO) – can be issued by a Residential Property Tribunal (RPT) so that the management of the property is under the control of the Local Authority for a period of 7 years.
- Compulsory Purchase Orders (CPO) - CPOs are a lengthy legal process and perhaps the strongest power available to the Local Authority that will not be undertaken lightly. They will be used in appropriate circumstances, where despite following the informal process, the Council has been unable to engage with the landlord to bring the property back into occupation.
- Enforced Sale - The procedure allows the Local Authority to sell properties to release money tied up in the value of the property to recover any debt. This may occur when a property has had a charge raised against it, for example, for works in default completed by the Council in the absence of the owner. This could include for example, works required by a number of the statutory notices detailed above such as boarding up, rubbish clearance, drainage work or even non payment of Council Tax. This entails the service of a Law of Property Act section 103 notice on the owner. The property is then sold at auction and the cost of statutory works undertaken, the administration costs and the Land Registry fees can be recovered from this sale.