

Prohibition Orders

- Used for Category 1 or 2 Hazards
- May prohibit use of part or all of a dwelling where hazards are identified, .e.g.
 - Serious threats to health and/or safety
 - To limit number of occupants
 - Prohibit use of dwelling to particular group
- Suspension of the order is possible under certain circumstances e.g. where a person of a certain description begins or ceases to occupy the dwelling
- Contravention of the order is a criminal offence

Emergency Action

- Used for Category 1 hazards only
- Used where there is considered to be an imminent risk to health and/or safety
- Allows Local Authority to carry out immediate remedial action
- Can also serve an emergency order which would have immediate effect

Demolition Orders

- Used for Category 1 hazards only
- Used where an imminent risk to health and/or safety has been identified
- Property is considered to be beyond repair t responsible cost

Clearance

- As above but for a hole area
- A number of properties all pose imminent and/or significant risk to health and/or safety



For further information please contact:

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Housing Act 2004 Guidance

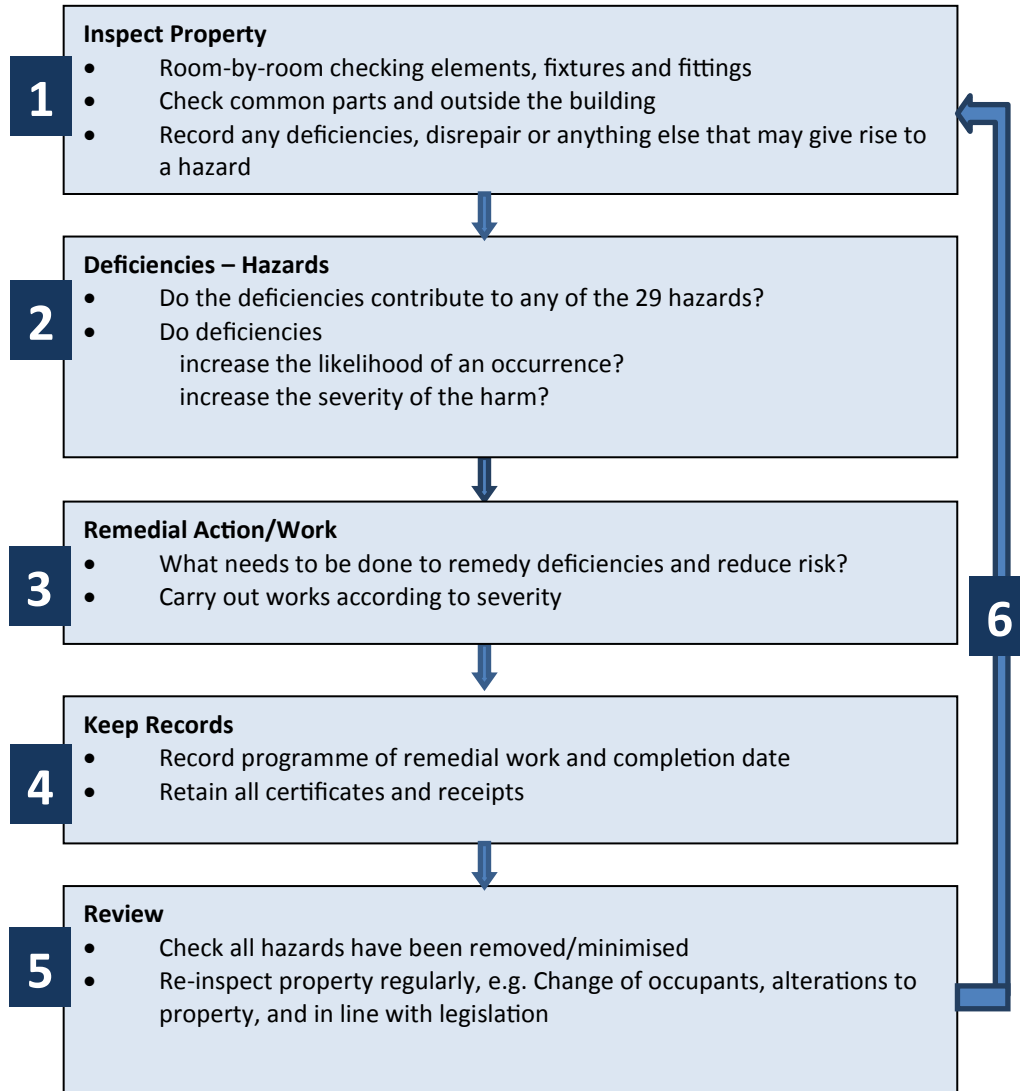
Local Authority Enforcement Options



A Landlords Guide

Landlord Property inspection Process

The guide below illustrates the inspection process that landlords should carry out in order to minimise the possibility of notices or orders being served on a dwelling.



Local Authority Enforcement options

Assessment of hazards

Using guidance issued by the DCLG (Department for Communities and Local Government, the former Office of the Deputy Prime Minister), based on research by the University of Warwick, Council Officers rate each Individual hazard present which a dwelling on a pre-determined scale. This results in a hazard score for each of the 29 hazards incorporated within Housing Health and Safety Rating System (HHSRS). Scores are grouped into 10 bands from A to J with band A representing the most severe hazards down to Band J representing those with minor health impact. Hazard bands A to C are deemed 'Category One hazards'. The remaining Bands are deemed 'Category Two'.

The Local Authority will be guided by three main points when making an enforcement decision:

- The HHSRS Hazard Rating
- Whether the Local Authority has a duty or power under the act to take action.
- The best way of dealing with a hazard having regard to the enforcement guidance

Hazard Awareness Notice

- Advisory notice only
- Normally used only for Category 2 hazards (unusually could be used for Category 1 hazards)
- Often used where properties are owner occupied
- No time limit to commencement of remedial works
- No follow up inspection

Improvement Notice

- Used for Category 1 or 2 hazards
- Remedial works cannot start within 28 days of the service of notice.
- Suspension of notice is possible in certain circumstances e.g. where a person of a certain description begins or ceases to occupy the dwelling
- Agreed time period for remedial work to be completed
- Follow up visits to verify work has been completed
- Failure to comply with the notice is a criminal offence