

SCHEDULES

SCHEDULE 3

Further provision about notices that specify works

Part 1

Provision applying to all notices that specify works

Application of Part of Schedule

1. This Part of this Schedule applies to—
 - (a) a temporary exemption notice that includes a requirement under section 17 (works to improve safety or security);
 - (b) a rectification notice that requires the carrying out of work;
 - (c) a suitability notice that contains a statement of remedial work under section 53;
 - (d) a hazard notice that contains a works requirement under section 58.

Listed buildings etc

- 2.—(1) In this paragraph “protected building” means a building—
 - (a) which is included in any list of buildings of special architectural or historic interest compiled under section 80 of the Planning Act (Northern Ireland) 2011 (“the 2011 Act”),
 - (b) which is subject to a building preservation notice under section 83 of the 2011 Act, or
 - (c) to which section 105 of the 2011 Act applies (control of demolition in conservation areas).
- (2) In this paragraph “relevant work” is work, specified in a notice to which this Part of this Schedule applies, which is to be carried out in or to an HMO that is or forms part of a protected building.
- (3) Before a council issues a notice that specifies relevant work, the council must consult—
 - (a) the Department, and
 - (b) such other persons as the council considers appropriate.

(4) A notice specifying relevant work has effect only in so far as it is not inconsistent with any provision of the 2011 Act.

Extension of date for completion of works

3.—(1) The council may, in accordance with this paragraph, extend the date by which any work must be completed—

- (a) as required by a temporary exemption notice, a rectification notice or a hazard notice, or
- (b) as specified in a statement of remedial work under section 53.

(2) The council may grant an extension—

- (a) on the application of any person on whom the notice in question was served, or
- (b) on the council's own initiative.

(3) The extension is to be to such later date as the council considers reasonable.

(4) A date may be extended only where the council—

- (a) considers that satisfactory progress has been made in carrying out the work,
- (b) considers that satisfactory progress has not been made but that there is a good reason why this has not been possible, or
- (c) has received a written undertaking from the owner stating that the work will be completed by a later date which the council considers satisfactory.

(5) The council must serve notice of any extension on—

- (a) the applicant, and
- (b) any person appearing to the council to be the owner or a managing agent of the HMO.