
STATUTORY INSTRUMENTS

1997 No. 227

HOUSING, ENGLAND AND WALES

**The Housing (Enforcement Procedures for
Houses in Multiple Occupation) Order 1997**

<i>Made</i>	- - - -	<i>4th February 1997</i>
<i>Laid before Parliament</i>		<i>10th February 1997</i>
<i>Coming into force</i>	- -	<i>3rd March 1997</i>

The Secretary of State for the Environment as respects England, and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by subsections (1) and (4) to (6) of section 377A(1) of the Housing Act 1985(1) and all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Housing (Enforcement Procedures for Houses in Multiple Occupation) Order 1997 and shall come into force on 3rd March 1997.

Right to make Representations

2. Except in a case where it appears to the local housing authority necessary to take such action immediately, before a local housing authority serve a works notice on any person they—

- (1) shall give to that person a written notice stating:
 - (a) that they are considering serving the works notice;
 - (b) the reasons why they are considering serving the works notice and the works which should be undertaken to remedy the relevant defect;
 - (c) that the person may, within a period specified in the notice (not being less than 14 days) make either written representations to the authority or, if the person so requests, make oral representations to the authority in the presence of an officer appointed by the authority (such a request being made not later than the expiry of 7 days beginning with the day on which that notice is given); and
- (2) shall consider any representations which are duly made and not withdrawn.

(1) 1985 c. 68; section 377A was inserted by section 76 of the Housing Act 1996 (c. 52).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sanctions for Non-compliance

3. Where a works notice is served and the authority have failed to comply with article 2, that failure shall be a ground for appeal additional to those specified in section 353(2)(2) and 373(2)(3) of the Housing Act 1985.

Signed by authority of the Secretary of State

3rd February 1997

James Clappison
Parliamentary Under Secretary of State,
Department of the Environment

Signed by authority of the Secretary of State for Wales

4th February 1997

Jonathan Evans
Parliamentary Under Secretary of State, Welsh
Office

(2) Subsection 2(a) was amended by and subsection (2)(dd) was added by the Local Government and Housing Act 1989, Schedule 9, paragraph 51 (c.42).

(3) Subsection (2)(cc) was added by the Local Government and Housing Act 1989, Schedule 9, paragraph 59 (c.42).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that before serving a works notice (a notice requiring the execution of works either to render houses in multiple occupation fit for the number of occupants or to remedy neglect in management), a local authority shall serve a notice and give an opportunity for representations to be made unless it appears to the authority necessary to take action immediately.