

## **Appendix B: Main Statutory Enforcement Options**

- **Town & Country Planning Act 1990, Section 215:** Where the condition of an empty home is detrimental to the amenity of the area.
- **Building Act 1984, Sections 77-79:** Where an empty home is in such a condition to be dangerous or is seriously detrimental to the amenity or of the neighbourhood.
- **Building Act 1984, Section 59:** Where the condition of the drainage to a building is prejudicial to health or a nuisance.
- **Environmental Protection Act 1990, Section 80:** Where a statutory nuisance exists, is likely to occur or recur at the property.
- **Prevention of Damage by Pests Act 1949, Section 4:** Applied where the condition of the property is such that it is providing or likely to provide harbourage to rodents.
- **Local Government (Miscellaneous Provisions) Act 1982, Section 29:** Allows the Council to act if a property is open to unauthorised access and is a risk to public health.
- **Housing and Planning Act 2016, Part 7:** Allows authorisation to be given for officers to enter land (and property on that land) in connection with a proposal to acquire compulsory interest in that land (and property on that land).
- **Local Government (Miscellaneous Provisions) Act 1976, Section 16; and Town & Country Planning Act 1990, section 330** – A notice may be served to establish information regarding property ownership or interests in land.
- **Housing Act 1985 Section 17 and the Acquisition of Land Act 1981:** Forms the basis for the compulsory purchase of land/buildings for the provision of housing accommodation.
- **Housing Act 2004 Part 4:** Grants powers to take over the management of a property using Empty Dwelling Management Orders (EDMO).
- **Law of Property Act 1925, Part III:** The basis for enforced sale where certain debts are owed to the Local Authority.
- **The Anti-Social Behaviour, Crime and Policing Act 2014, Part 4:** Allows for enforcement of matters considered to be detrimental to the quality of life to those in the locality.
- **Public Health Act 1961 Section 34:** Deals with the removal of waste from property or land.
- **Public Health Act 1936 Section 83:** Deals with the cleansing of filthy or verminous premises.
- **Housing Act 2004 Part 1:** Housing conditions, improvements and enforcement.

Note – this is not an exhaustive list