



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 1

#### HOUSING STANDARDS

#### CHAPTER 5

##### REPAIR, IMPROVEMENT AND DEMOLITION OF HOUSES

###### *Work notices and demolition notices*

### **30 Work notices**

- (1) The local authority may require the owner of a house to carry out work in it for the purposes of—
  - (a) implementing an HRA action plan in relation to any house identified in the plan, or
  - (b) bringing any house which the local authority considers to be sub-standard (whether or not situated in an HRA) into, or keeping it in, a reasonable state of repair.
- (2) A requirement under subsection (1) must be made by serving notice (a “work notice”) in accordance with section 62.
- (3) The work notice must specify—
  - (a) the reason for the requirement (by reference, if the requirement relates to any house other than the house in which the work is to be carried out, to the condition of that other house),
  - (b) the work which requires to be carried out,
  - (c) any standard which that house is to meet on completion of the work, and
  - (d) the period within which the work must be completed.
- (4) The period so specified must be the period beginning with the date from which the notice has effect within which the local authority reasonably considers that the work required can be completed (but must not, in any case, be a period of less than 21 days).

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*Status: This is the original version (as it was originally enacted).*

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- (5) The work notice may also specify particular steps which the local authority requires to be taken in carrying out the work required.

### **31 Suspension of work notice**

- (1) The local authority may suspend a work notice if satisfied that carrying out the work required is likely to be detrimental to the health of any resident of the house concerned.
- (2) The local authority may lift a suspension under subsection (1) at any time.
- (3) The local authority must give notice of any—
- (a) suspension, or
  - (b) lifting of a suspension,
- in accordance with section 62.
- (4) A notice under subsection (3)(b) may—
- (a) extend the period within which the work requires to be completed by such period as the local authority considers reasonable,
  - (b) specify particular steps which the local authority requires to be taken in carrying out the work required (in addition to or in place of any such steps specified in the work notice or in any previous notice under subsection (3)(b)).

### **32 Revocation of work notice**

- (1) The local authority may revoke a work notice if—
- (a) the house to which it relates is demolished, or
  - (b) it considers that the work required by the notice is no longer necessary for the purpose for which the notice was served.
- (2) The local authority must give notice of any such revocation in accordance with section 62.

### **33 Demolition notices**

- (1) Where a house is identified in an HRA action plan as a house which the local authority considers to be in a state of serious disrepair and ought to be demolished, the local authority may require the owner of the house to demolish it.
- (2) A requirement under subsection (1) must be made by serving notice (a “demolition notice”) in accordance with section 62.
- (3) The demolition notice must specify—
- (a) the reason for the requirement,
  - (b) the standard to which the demolition is to be carried out (including any standard to which the site of the demolished house must be cleared), and
  - (c) the period within which the demolition must be carried out.
- (4) The period so specified must be the period beginning with the date from which the notice has effect within which the local authority reasonably considers that the demolition can be completed (but must not, in any case, be a period of less than 21 days).

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### **34 Extension of period for completion of work or demolition**

- (1) The local authority may, at any time, extend the period within which any—
  - (a) work required by a work notice, or
  - (b) demolition required by a demolition notice,must be completed by such period as it considers reasonable.
- (2) But such a period may be extended only where the local authority—
  - (a) considers that satisfactory progress has been made in carrying out the work or demolition, or
  - (b) has received a written undertaking from the owner stating that the work or demolition will be completed by a later date which the authority considers satisfactory.
- (3) The local authority must give notice of any extension in accordance with section 62.