

APPENDIX B – MISCELLANEOUS LEGAL POWERS

Problem	Legislation	Power granted
Dangerous or dilapidated buildings or structures	Building Act 1984, Sections 77 and 78	To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78)
	Housing Act 1985, Sections 189 and 190	To require the owner to make the property safe. Section 189 applies if the property is Unfit for Human Habitation. Section 190 applies in other cases of serious disrepair. These provisions are due to be repealed when Part 1 of the Housing Act 2004 comes into effect in April
Unsecured properties (if it poses the risk that it may be entered or suffer vandalism, arson or similar)	Building Act 1984, Section 78	To allow the Local Authority to fence off the property
	Local Government (Miscellaneous Provisions) Act 1982, Section 29	To require the owner to take steps to secure a property or allow the Local Authority to board it up in an emergency
Blocked or defective drainage or private sewers	Local Government (Miscellaneous Provisions) Act 1976, Section 35	To require the owner to rectify obstructed private sewers
	Building Act 1984, Section 59	To require the owner to rectify blocked or defective drainage
	Public Health Act 1961, Section 17	To require the owner to rectify defective drainage or private sewers
Vermin (if it is either present or there is a risk of attracting vermin that may detrimentally affect people's health)	Public Health Act 1961, Section 34	To require the owner to remove waste so that vermin is not attracted to the site
	Prevention of Damage by Pests Act, Section 4	
	Public Health Act 1936, Section 83	
	Environmental Protection Act 1990, Section 80	
	Building Act 1984, Section 76	
Unightly land and property affecting the amenity of an area	Public Health Act 1961, Section 34 (see above)	To require the owner to remove waste from the property
	Town and Country Planning Act 1990, Section 215	To require the owner to deal with unsightly land or the external appearance of a property
	Building Act 1984, Section 79	To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair