

Private sector housing authorisations, July 2024

Legislation	Section	Summary of Power	Phil Stacey	James Peterson	Arlo Reddick	Adriana Nape	Antonia Beck	Samuel Orekoya
Animal Welfare Act 2006	S.51	Appointed as an inspector	-	-	-	Yes	-	-
Animal Welfare Act 2006	10, 18, 19, 25, 26, and 27	Service of improvement notices (S.10) Deal with animals in distress (S.18) Enter any part of a premises not used as a private dwelling in relation to the above (S.19) Require a licence holder to produce records (S.25) Inspect any premises to which a licence applies or may reasonably be expected to apply (S.26)* Inspect any premises for the purposes of checking compliance with registered activities (S.27)* * subject to 24 hours notice for private dwellings	-	-	-	-	-	-
Anti-social Behaviour Act 2003	Part 6 S. 40	Closure of noisy premises	-			Yes		
Anti-social Behaviour Act 2003	Parts 6 & 8	The Environment including - Closure of noisy premises, power to deal with high hedges, issuing of FPN's for graffiti and fly posting etc.	-	-	-	Yes	-	-
Anti-social, Crime and Policing Act 2014	Part 4: Chapters 1 & 2	Community Protection Notices (CPN's), Public Space Protection Orders (PSPO's)	-	-	-	Yes	-	-
Building Act 1984	Parts II & IV	General provisions including, drainage, sanitation and defective buildings, power to enter premises and execute works and recover expenses etc.	-	-	-	Yes	-	-
Building Act 1984	Section 59	Service of notice in relation to drainage of a building	Yes	Yes	Yes	Yes	Yes	Yes
Building Act 1984	Section 95	Powers of entry in relation to drainage, defective premises etc	Yes	Yes	Yes	Yes	Yes	Yes
Caravan Sites and Control of Development Act 1990 as amended by the Mobile Homes Act 2013	Section 8 As amended by sections 4 and 5 of the Mobile Homes Act 2013	Service, variation and revocation of a compliance notice. Power to carry out works, take emergency action and demand expenses.	Yes	Yes	Yes	Yes	Yes	Yes
Caravan Sites and Control of Development Act 1990 as amended by the Mobile Homes Act 2013	Section 26	Power of entry	Yes	Yes	Yes	Yes	Yes	Yes
Clean Air Act 1993	Parts I, II & VII	Dark smoke, smoke, grit dust and fumes, chimneys and miscellaneous and general.	-	-	-	Yes	-	-
Clean Neighbourhoods and Environment Act 2005	Parts 2, 3, 4, 5, 6, 7	Powers in respect of vehicles, litter and refuse, graffiti and other defacement, waste, dogs, powers of entry etc.	-	-	-	Yes	-	-
Control of Pollution (Amendment) Act 1989	All	General provisions including; power to require production of authority, stop and search, issue of FPN's for offences under S. 5 etc.	-	-	-	Yes	-	-
Control of Pollution Act 1974	Parts I, II & V	Provisions including; waste on land, noise and supplementary etc.	-	-	-	Yes	-	-
Dangerous Wild Animals Act 1976	S. 4(1)	Power to seize and deal with any animal	-	-	-	Yes	-	-

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Environment Act 1995	S. 108 (1)(4)	Powers of enforcing authorities and persons authorised by them including powers of entry	-	-	-	Yes	-	-
Environmental Protection Act 1990	Parts I, II, IIA, III, IV & VIII	Integrated Pollution Control and air pollution control, waste on land, contaminated land, statutory nuisances and clean air, litter, miscellaneous etc.	-	-	-	Yes	-	-
Environmental Protection Act 1990	Schedule 3	Statutory nuisance and supplementary provisions including power of entry for ascertaining a Statutory Nuisance etc.	-	-	-	Yes	-	-
Environmental Protection Act 1990	Section 80	Service of notice to abate a statutory nuisance	Yes	Yes	Yes	Yes	Yes	Yes
Environmental Protection Act 1990	Schedule 3 paragraph 2	Powers of entry in relation to a statutory nuisance	Yes	Yes	Yes	Yes	Yes	Yes
Gambling Act 2005	S 304	Designated as an Authorised Officer for the purpose of this Section	-	-	-	Yes	-	-
Health Act 2006	10, 9 (1) and Schedule 2 (para 2, 3, 4 & 7)	Power to issue fixed penalty notices and other enforcement powers under the Health Act 2006.	-	-	-	Yes	-	-
Highways Act 1980	Part VIIA	Provision of Amenities on Certain Highways, authorised in respect of all relevant provisions relating to Tables and Chairs	-	-	-	Yes	-	-
Highways Act 1980	Part IX (Sections 132, 137, 137ZA, 147A & 149 only)	Obstruction of highways and streets, damage to highways, streets etc.	-	-	-	Yes	-	-
House to House Collections Act 1939	All	Authorised in respect of all relevant provisions relating to House to House collections	-	-	-	Yes	-	-
Housing Act 2004	Section 11	Service of improvement notice relating to category 1 hazards	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 12	Service of improvement notice relating to category 2 hazards	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 16	Power to vary or revoke an improvement notice	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 28	Service of hazard awareness notice relating to category 1 hazards	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 29	Service of hazard awareness notice relating to category 2 hazards	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 41	Service of notice of emergency remedial action	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 49	Charging for the service of enforcement notices under of part 1 of the Housing Act 2004	Yes		Yes	Yes	Yes	Yes
Housing Act 2004	Section 131	Management orders: power of entry to carry out work	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 139	Service of an overcrowding notice in relation to a house in multiple occupation	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 235	Service of notice to require documents to be produced	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 239	Powers of entry in relation to Parts 1 to 4	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 239(6)	Powers of entry to investigate whether an offence has been committed under sections 72, 95, 234(3) of the Housing Act 2004.	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 255	Service of HMO declaration	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Section 256	Service of a revocation of an HMO declaration	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 2004	Schedule 3 paragraph 3(4)	Powers of entry for the purpose of taking action without agreement	Yes	Yes	Yes	Yes	Yes	Yes

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Housing Act 2004	Schedule 7 paragraph 25	Powers of entry to carry out work in relation to an EDMO	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 1985	Section 319	Powers of entry in relation to slum clearance	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 1985	Section 340	Powers of entry in relation to overcrowding	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 1985	Section 600	Powers of entry in relation to compulsory purchase	Yes	Yes	Yes	Yes	Yes	Yes
Housing and Planning Act 2016	Section 15	Service of notice of intended proceedings	Yes	Yes	Yes	Yes	Yes	Yes
Housing and Planning Act 2016	Section 31	Service of a decision notice	Yes	Yes	Yes	Yes	Yes	Yes
Housing and Planning Act 2016	Section 35	Power to require information	Yes	Yes	Yes	Yes	Yes	Yes
Licensing Act 2003	All	Authorised to exercise all relevant provisions of the Licensing Act 2003	-	-	-	Yes	-	-
Local Government & Housing Act 1989	Part VII S. 97	Powers of entry	-	-	-	Yes	-	-
Local Government (Miscellaneous Provisions) Act 1976	Section 16	Appointed as an authorised officer to serve a Requisition for information	Yes	Yes	Yes	Yes	Yes	Yes
Local Government (Miscellaneous Provisions) Act 1976	Section 20	Power for the local authority to serve a notice requiring the provision of sanitary appliances at places of entertainment	Yes	Yes	Yes	Yes	Yes	Yes
Local Government (Miscellaneous Provisions) Act 1976	Section 35	Appointed as an authorised officer for the removal of obstructions from private sewers	-	-	-	Yes	-	-
Local Government (Miscellaneous Provisions) Act 1976	Part II	Appointed as an authorised officer to exercise the power confired on the local authority to obtain particulars of persons interested in land, provisions relating to Hackney Carriage & Private Hire Vehicles, Drivers & Operators	-	-	-	Yes	-	-
Local Government Misc. Provisions Act 1982	Parts I. II, VIII & XI	Licensing of Public Entertainments, Control of Sex Establishments, Acupuncture, Tattooing, Ear-Piercing and Electrolysis, Public Health, etc.	-	-	-	Yes	-	-
Local Government (Miscellaneous Provisions) Act 1982	Section 29	Service of notice to prevent access or prevent a danger to public health	Yes	Yes	Yes	Yes	Yes	Yes
National Assistance Act 1948	Part IV, S 47	Compulsory removal of persons unable to cope	-	-	-	Yes	-	-
Noise Act 1996	All sections including Schedule	Fixed penalty notices for night-time noise, powers of entry and seizure etc. & powers in relation to seized equipment.	-	-	-	Yes	-	-
Police, Factories, & c. (Miscellaneous Provisions) Act 1916	All	Authorised in respect of all relevant provisions relating to Street Collections	-	-	-	Yes	-	-
Pollution Prevention and Control Act 1999 & associated regulations	All	Authority to grant, revoke, transfer and vary permits for authorised processes and the ability to serve notices etc.	-	-	-	Yes	-	-
Prevention of Damage by Pests Act 1949	Parts 1 & 3	General provisions including; Serving of Notices, remedies for failure to comply with Notice, additional powers, recovery of expenses, power to request information, powers of entry etc.	-	-	-	Yes	-	-
Prevention of Damage by Pests Act 1949	Section 4	Service of notice to destroy or prevent rats or mice	Yes	Yes	Yes	Yes	Yes	Yes
Prevention of Damage by Pests Act 1949	Section 22	Powers of entry	Yes	Yes	Yes	Yes	Yes	Yes

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Public Health Act 1936	Parts I, II, XI & XII	General provisions including power of entry, execution of works, recovery of expenses, prosecutions, powers to deal with sanitation. Power to require removal of noxious matter by occupier of premises in an urban district. Buildings and miscellaneous provisions etc.	-	-	-	Yes	-	-
Public Health Act 1936	Section 83	Cleansing of filthy or verminous premises	Yes	Yes	Yes	Yes	Yes	Yes
Public Health Act 1936	Section 287	Power to enter premises	Yes	Yes	Yes	Yes	Yes	Yes
Public Health Act 1961	Section 17	Power to repair drains and to remedy stopped up drains etc	Yes	Yes	Yes	Yes	Yes	Yes
Public Health Acts Amendment Act 1907	All	Authorised in respect of all relevant provisions relating to Pleasure Boats	-	-	-	Yes	-	-
The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	Schedule 1 article 8	Service of a notice of intent. Withdrawal of a notice of intent or final notice	Yes	Yes	Yes	Yes	Yes	Yes
Refuse Disposal (Amenity) Act 1978	Sections 2,3, 4, 5 6, 8	Dealing with abandoned vehicles and other refuse i.e. Notices, power of entry etc	-	-	-	Yes	-	-
Refuse Disposal (Amenity) Act 1978	S. 6, 8	Dealing with abandoned vehicles and other refuse i.e. Notices, power of entry	-	-	-	Yes	-	-
Refuse Disposal (Amenity) Act 1978	S. 8	Powers of entry	-	-	-	Yes	-	-
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015	Section 5	Service of a remedial notice	Yes	Yes	Yes	Yes	Yes	Yes
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015	Section 8	Service of a penalty charge notice	Yes	Yes	Yes	Yes	Yes	Yes
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015	Section 7	Arranging remedial action	Yes	Yes	Yes	Yes	Yes	Yes
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015	Section 10	Review, variation or withdrawal of a penalty change notice	Yes	Yes	Yes	Yes	Yes	Yes
Town Police Clauses Act 1847	All	Authorised in respect of all relevant provisions relating to Hackney Carriage Vehicles and Drivers	-	-	-	Yes	-	-
Vehicles (Crime) Act 2001	All	Authorised in respect of all relevant provisions relating to Motor Salvage Operators	-	-	-	Yes	-	-
Water Industry Act 1991	S. 84	Powers of entry	-	-	-	Yes	-	-
Housing Act 2005	Section 72	To exercise powers against persons having control of or managing an HMO which is required to be licensed	Yes	Yes	Yes	Yes	Yes	Yes
Housing Act 1986	PART X Ch 68 Section 331	Powers to apply a penalty for landlord causing or permitting overcrowding	Yes	Yes	Yes	Yes	Yes	Yes
The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015	Regulation 27	Serve a compliance notice	Yes	Yes	Yes	Yes	Yes	Yes
Tenant Fees Act 2019	Schedule 3	Impose a financial penalty for a breach of section 1 (prohibitions applying to landlords) or 2 (prohibitions applying to letting agents) or Schedule 2 (treatment of holding deposit)	Yes	Yes	Yes	Yes	Yes	Yes
The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	Regulation 3	Impose a financial penalty on a private landlord	Yes	Yes	Yes	Yes	Yes	Yes

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The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	Regulation 4	Serve a remedial notice	Yes	Yes	Yes	Yes	Yes	Yes