

SCHEDULES

SCHEDULE 3

Further provision about notices that specify works

Part 2

Failure to carry out works required by rectification notice or hazard notice

Carrying out of work by council

- 5.—(1) The council may carry out any work required by the notice.
- (2) But the council may do so only if one of the following three conditions is met.
- (3) The first condition is that—
- (a) the date specified for that work to be completed has passed, and
 - (b) the council has given the owner not less than 7 days' notice of its intention to carry out the work under this paragraph.
- (4) The second condition is that the owner has given notice to the council that the owner is unable to comply with the requirement because of a lack of necessary rights (of access or otherwise) despite having taken reasonable steps for the purposes of acquiring those rights.
- (5) The third condition is that the owner has given notice to the council stating that the owner considers that carrying out the work is likely to endanger any person.