



Housing Act 1957

1957 CHAPTER 56

PART IV

ABATEMENT OF OVERCROWDING

Overcrowding in houses let in lodgings

90 Overcrowding in houses let in lodgings

- (1) If it appears to a local authority, in the case of a house within their district, or of part of such a house, which is let in lodgings or occupied by members of more than one family, that excessive numbers of persons are being accommodated on the premises having regard to the rooms available, the local authority may serve on the occupier of the premises or on any person having the control and management thereof, or on both, a notice—
 - (a) stating, in relation to any room on the premises, what is in the authority's opinion the maximum number of persons by whom it is suitable to be occupied as sleeping accommodation at any one time, or, as the case may be, that it is in their opinion unsuitable to be occupied as aforesaid, and
 - (b) informing him of the effect of subsection (4) of this section.
- (2) For the purposes of paragraph (a) of the foregoing subsection a notice may, in relation to any room, prescribe special maxima applicable in any case where some or all of the persons occupying the room are under such age as may be specified in the notice.
- (3) Any person aggrieved by a notice under this section may, within twenty-one days after the date of the service of the notice, appeal to the county court within the jurisdiction of which the premises to which the notice relates are situated, and—
 - (a) on any appeal to the county court under this section the judge may make such order either confirming or quashing or varying the notice as he thinks fit, and
 - (b) sections thirty-seven and thirty-eight of this Act shall apply in relation to an appeal under this section as they apply in relation to an appeal to the county court under Part II of this Act.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) Any person who has been served with a notice under this section shall be guilty of an offence if, after the notice has become operative,—
- (a) he causes or knowingly permits any room to which the notice relates to be occupied as sleeping accommodation otherwise than in accordance with the notice, or
 - (b) he causes or knowingly permits to be accommodated on the premises such number of persons that it is not possible, without contravention of the foregoing paragraph or the occupation as sleeping accommodation of some part of the premises for which a maximum is not specified under paragraph (a) of subsection (1) of this section, to avoid persons of opposite sexes and over the age of twelve years (other than persons living together as husband and wife) occupying sleeping accommodation in the same room.
- (5) Any person committing an offence under this section shall be liable on summary conviction to a fine not exceeding five pounds and, where the offence of which he was convicted continues after conviction, to a further fine not exceeding two pounds for every day for which the offence so continues.
- (6) Where a local authority have served a notice under this section in respect of any premises, they may at any time withdraw the notice, without prejudice to anything done in pursuance thereof or to the service of another notice, or, if there is any material change of circumstances, they may substitute for the notice a further notice under this section ; and, where a notice is withdrawn, subsection (4) of this section shall cease to apply in relation to the premises, without prejudice to its further application if a subsequent notice is served in respect of the same premises.
- (7) In the administrative county of London, other than the City of London, both the metropolitan borough council and the London County Council shall be local authorities for the purposes of this section.