



Housing Act 1961

1961 CHAPTER 65

PART II

AMENDMENTS OF HOUSING ACT, 1957

Reconditioning of condemned houses

24 Exclusion of houses from clearance order

- (1) If a local authority are satisfied that any one or more houses comprised in a clearance order which has been confirmed by the Minister have been made fit for human habitation or will, if excluded from the clearance area, be made fit for human habitation, the local authority may make and submit to the Minister for confirmation by him an order excluding the house or houses from the clearance area, and modifying or revoking the clearance order accordingly.
- (2) If it appears to the local authority that any house or other building—
 - (a) which was properly included in the clearance area only on the ground that by reason of its bad arrangement in relation to other buildings, or the narrowness or bad arrangement of the streets, it is dangerous or injurious to the health of the inhabitants of the area, and
 - (b) which has not been included in a clearance order or compulsory purchase order under Part III of the principal Act,would not have been included in the clearance area but for the inclusion in the clearance area of the house or houses to be excluded under the foregoing subsection, the order shall provide that that building shall also be excluded from the clearance area.
- (3) A local authority shall not make an order under this section (other than one which applies to all the land in the clearance area) unless they are satisfied that they can effectively fulfil their duties under Part III of the principal Act as regards the land remaining in the clearance area after the order comes into force.
- (4) An order may be made under this section notwithstanding that the effect of the order in excluding any building from the clearance area is to sever that area into two or

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more separate and distinct areas, and in any such case the provisions of Part III of the principal Act relating to the effect of a clearance order when confirmed, and to the proceedings to be taken subsequent to the confirmation thereof, shall apply as if those areas formed one clearance area.

- (5) A local authority may for the purpose of this section accept undertakings from an owner of the building, or any other person who has or will have an interest in the building, and in particular undertakings—
- (a) concerning the works to be carried out to make the building fit for human habitation, and the time within which the works are to be carried out, and
 - (b) concerning the repayment of any sums paid by the local authority under section sixty or section sixty-one of the principal Act (under which payments may be made for a house in a clearance area which has been well maintained or, in certain circumstances, which is held by an owner-occupier).
- (6) Subsection (1) of this section shall apply in relation to a building other than a house, being a building which is included in a clearance order by virtue of the proviso to paragraph 2 of the Fifth Schedule to the principal Act (which authorises the inclusion in a clearance order of a building part of which is a dwelling and is unfit for human habitation) as it applies to a house, but subject to the modification that for the references to making the house fit for human habitation there shall be substituted references to making part of the building fit for human habitation.
- (7) The Third Schedule to this Act shall have effect in relation to any order under this section.
- (8) In this section and the said Schedule the expression " clearance order " means a clearance order under section forty-four of the principal Act; and this section (together with that Schedule) shall be construed as one with Part III of the principal Act.