
Changes to legislation: Housing Act 2004, Cross Heading: Obstruction of action taken without agreement is up to date with all changes known to be in force on or before 14 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

IMPROVEMENT NOTICES: ENFORCEMENT ACTION BY LOCAL HOUSING AUTHORITIES

PART 2

POWER TO TAKE ACTION WITHOUT AGREEMENT

Obstruction of action taken without agreement

- 5 (1) If, at any relevant time—
- (a) the person on whom the notice under paragraph 4 was served is on the premises for the purpose of carrying out any works, or
 - (b) any workman employed by that person, or by any contractor employed by that person, is on the premises for such a purpose,
- that person is to be taken to have committed an offence under section 241(1).
- (2) In proceedings for such an offence it is a defence that there was an urgent necessity to carry out the works in order to prevent danger to persons occupying the premises.
- (3) In sub-paragraph (1) “relevant time” means any time—
- (a) after the end of the period of 7 days beginning with the date of service of the notice under paragraph 4, and
 - (b) when any workman or contractor employed by the local housing authority is taking action on the premises which has been mentioned in the notice in accordance with paragraph 4(2)(c).

Commencement Information

- II** Sch. 3 wholly in force at 16.6.2006; Sch. 3 not in force at Royal Assent see s. 270(4)(5); Sch. 3 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 3 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

Changes to legislation:

Housing Act 2004, Cross Heading: Obstruction of action taken without agreement is up to date with all changes known to be in force on or before 14 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)