Proof of Service of a Legal Document

This statement, consisting of one page signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered as evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true.

I, [redacted], an employee of Dover District Council, hereby certify that on 15th July 2026, I served:

[redacted] 7DX [redacted] ("the recipient address") with the following statutory notice:

Notice type:	Improvement Notice, Statement of Reasons and Demand for Payment
Statutory provision:	Housing Act 2004
Section:	Section 11, 8 and 49
Dated:	15th July 2026

relating to the following address: Communal Parts, 34 Salisbury Road, Dover, CT16 1EU ("the subject premises") by delivering the said notice to him/her:

Insert a ✓ in the relevant box(es)	
In person, by handing the notice to them at the recipient address.	
By Email to	
By Royal Mail First Class post.	√
By Royal Mail [Recorded] [Special] Delivery - Tracking number:	
By posting the envelope containing the notice through the letterbox at the recipient address.	
By posting the envelope containing the notice through the letterbox at the subject premises.	
By handing the envelope containing the notice to a person who accepted it on they behalf at the [recipient address] [subject premises], whose name was:	
By pinning the notice to the most obvious entrance door of the subject premises.	
By attaching the notice to some conspicuous part of the subject premises, that being:	

Signed: [redacted] (Authorised signatory) Dated: 15th July 2026

Officer Name: [redacted] Designation: Housing Improvement Officer

Private Sector Housing
Dover District Council, White Cliffs Business Park, Dover, Kent, CT16 3PJ.

Tel: (01304) 821199| Email: Privatesectorhousing@dover.gov.uk **| Website: dover.gov.uk**

DOVER DISTRICT COUNCIL

[redacted]

Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: **(01304) 821199**
Fax: **(01304) 872217**
DX: **6312**
Minicom: **(01304) 820115**
Website: **www.dover.gov.uk**

Contact: [redacted]
Direct line: [redacted]
E-mail: [redacted]
Our ref:
Your ref: WK/4834
Date: 15th July 2026

Dear [redacted]

Housing Act 2004, Sections 11 – Communal Parts, 34 Salisbury Road, Dover, CT16 1EU

Further to my previous correspondence and initial visit in relation to the above property. Please find enclosed an Improvement Notice in respect of a number of detects giving rise to a number of category 1 & 2 Hazards, and the Local Housing Authority are obliged under the Housing Act 2004 to take action in such matters.

Please be advised that you do have the right of appeal against the notices to the First-tier (Property Chamber) Tribunal, within 21 days from the date of service (please see notes overleaf)

The Council intends to charge £567 for the service of such notices under section 49 Housing Act 2004. However, if the works are completed before the expiry date of the Notice then the charge will be waived.

I would confirm that improvement notices have been served on the occupiers, and any other person who has an interest in the property.

I hope the above information clarifies the Authorities position. Should you require any further information or clarification, please contact me at the above address.

Yours Sincerely

[redacted]

[redacted]
Housing Improvement Officer

Inc Section 11 & 12 Improvement Notice
Section 8 Statement of Reasons
Section 49 Recovery of Expenses

[redacted] WK4834

Dover District Council
White Cliffs Business Park
Dover
Kent CT16 3PJ

Notice	Housing Act 2004 Part 1 - Section 11
	Improvement Notice
To:	[redacted]
Of:	[redacted]
Relating to	Communal Parts, 34 Salisbury Road, Dover, CT16 1EU "The premises"
Hazards	Dover District Council ('the authority') give notice that they are satisfied that there are category 1 hazards that exist at Communal Parts, 34 Salisbury Road, Dover, CT16 1EU, and that no Management Order is in force in relation to the premises under Chapter 1 or 2 of Part 4 of the Housing Act 2004.
Improvement Notice	The authority serves this Improvement Notice and requires you to take the remedial action specified.
Deficiencies	Details of the deficiencies giving rise to the hazards are contained in Schedule 1 and details of the remedial action required are contained in Schedule 2.
Most appropriate course of action	The authority considers the service of this Improvement Notice as the most appropriate course of action for the reasons stated in the attached statement of reasons.
Compliance Date	The compliance dates for this Improvement Notice are contained in schedule 2.
Offence	A person on whom an Improvement Notice is served, commits an offence if he fails to comply with it and is liable to the following actions: - On summary conviction (Prosecution) to a fine, or - A Penalty Charge Notice of up to £30,000 and - A Rent Repayment Order. This requires a landlord to repay the last 12 months rent.
Appeal	The person on whom an Improvement Notice is served may appeal to a Property Chamber of the First Tier Tribunal (PC) against the notice within the period of 21 days beginning with the date on which the Improvement Notice was served.
Alternative Action	If you consider that alternative remedial action will address the hazards identified in the Notice you should contact the investigating officer [redacted] The Authority has the power to vary an Improvement Notice by agreement under Section 16 of the Act.

Copies of this notice will be served on every other person who, to the knowledge of the local authority, is an occupier of the premises or has a relevant interest, that is an interest as freeholder, mortgagee or lessee.

Officer

Signature:

[redacted]

Designation: Senior Housing Improvement Officer
The officer appointed for this purpose

Date: 15th July 2026

Contact address:
Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Email:
privatesectorhousing@dover.gov.uk

Telephone:
TEL: 01304 872397

Notes

Meaning of "category 1 hazard" and "category 2 hazard"
"Category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount:

"Category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and

"Hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise).

"prescribed" means prescribed by regulations made by the appropriate national authority (see section 261(1)); and
"prescribed band" means a band so prescribed for a category 1 hazard or a category 2 hazard, as the case may be.
"building" includes part of a building;
"harm" includes temporary harm;
"health" includes mental health.

Right of Appeal (under Schedule 1, Part 3 of the Housing Act 2004)
If you do not agree with this notice you may appeal against it to the residential property tribunal, but you must do this within **21** days after this notice is served on you.

Southern Property Tribunal
First-Tier Tribunal (Property Chamber)
Havant Justice Centre
The Court House
Elmleigh Road
Havant,
Portsmouth
Hampshire
PO9 2AL
Tel: 01243 779394
Email: rpsouthern@hmcts.gsi.gov.uk

These notes are intended as general information to the recipient(s) of this as a summary of their rights of appeal against the notice. The notes are not intended to be definitive and any person(s) considering an appeal are advised to seek independent legal advice and/or refer to the full version of Schedule 1 to the Housing Act 2004. Further advice can be obtained from the Residential Property www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber

1. The person on whom this notice is served may appeal to a residential property tribunal against the notice. The person must appeal using a Notice of Appeal which can be obtained from the residential property tribunal. Paragraphs 11 and 12 set out two specific grounds on which an appeal may be made under this paragraph, but they do not affect the generality.

2. An appeal may be made by a person under Schedule 1, Part 3, 10 of the Housing Act 2004 on the ground that one or more other persons, as an owner or owners of the specified premises, ought to take the action concerned, or pay the whole or part of the cost of taking that action.

3. Where the grounds on which an appeal is made under paragraph 10 consist of or include the ground mentioned in 1 you must serve your notice of appeal on the person(s) concerned.

4. An appeal may be made by a person under paragraph 10 on the ground that rather than service of this improvement notice one of the alternative courses of action below is the best course of action in relation to the hazard in respect of which this notice was served:

(a) The making of a prohibition order under section 20 or 21 of the Housing Act 2004;
(b) The service of a hazard awareness notice under section 28 or 29 of the Housing Act 2004; and
I The making of a demolition order under section 265 of the Housing Act 1985 (c.68).

Time limit for appeal
14. Any appeal under paragraph 10 must be made within the period of 21 days of the correct service of this notice. A residential property tribunal may allow an appeal to be made to it after the expiry of the 21 day period if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).

Powers of the Residential Property Tribunal
1. The appeal will be heard by the residential property tribunal by way of a re-hearing but may be determined having regard to matters of which the authority was unaware.
2. The tribunal may by order confirm, quash or vary the improvement notice.
3. Where the appeal is made on the ground specified in Schedule 1, Part 3, 11 of the Housing Act 2004 the tribunal may;
- vary the improvement notice so as to require the action to be taken by any owner mentioned in the notice of appeal in accordance with Schedule 1, Part 3, 11 of the Housing Act 2004.

- it may make such order as it considers appropriate with respect to the payment to be made by any such owner to the appellant or, where the action is taken by the local housing authority, to the authority.

4. In the exercise of its powers under 2 above the tribunal must take into account, as between the appellant and any such owner (a) their relative interests in the premises concerned (considering both the nature of the interests and the rights and obligations arising under or by virtue of them); (b) their relative responsibility for the state of the premises which gives rise to the need for the taking of the action concerned; and (c) the relative degree of benefit to be derived from the taking of the action concerned.

5. Where the appeal is made on the ground specified in paragraph 12(2) the tribunal when deciding whether one of the courses of action mentioned is the best course of action in relation to a particular hazard, must have regard to any guidance given to the local housing authority under section 9 of the Housing Act 2004. If the tribunal finds that an alternative course of action was the best course of action it must, if requested by the appellant or the Council, identify that course of action.

Operative time for the Notice following Appeal (Schedule 1, Part 3, 19(2))

1. If an appeal is made under Schedule 1, Part 3, paragraph 10 of the Housing Act 2004 against an improvement notice which is not suspended, and a decision on the appeal is given which confirms the notice "the operative time" is as follows:

(a) if the period within which an appeal to the Lands Tribunal may be brought expires without such an appeal having been brought, "the operative time" is the end of that period;

(b) if an appeal to the Lands Tribunal is brought, "the operative time" is the time when a decision is given on the appeal which confirms the notice.

2. If an appeal is made under Schedule 1, Part 3, paragraph 10 of the Housing Act 2004 against an improvement notice which is suspended and a decision is given on the appeal which confirms the notice, "the operative time" is as follows:

(a) the time that would be the operative time under sub paragraph (2) if the notice were not suspended, or

(b) if later, the time when the suspension ends.

Power to take action without agreement (Part 2 and Part 3 of Schedule 3 of the Housing Act 2004)

1. If you do not comply with the notice, the Council may do the works themselves and charge you with the cost.
2. If during the period in which the works are to be carried out the Council think that reasonable progress is not being made, they may, after giving notice in writing of their intention to do so, do the work themselves and charge you with the cost.
3. Until recovered, the expenses recoverable by the Council together with any accrued interest on them, are a charge on the premises to which the improvement notice related.

Power to take action with agreement (Part 1 of Schedule 3 of the Housing Act 2004)

If you have difficulty in finding a builder to do the works or have any other problems in arranging the works, you can ask the Council if they will do the work themselves and charge you with the cost.

Application for revocation or variation of the Notice

If you are satisfied that the requirements of the notice have been complied with in full, or where the notice relates to a number of different hazards that the requirements of the notice relating to some of the hazards have been complied with, you may apply to the Local Authority for revocation or variation of the notice as appropriate (Section 16).

Changes in person(s) liable to comply with the Notice after service

If, after the service of the notice, the person(s) on whom it was served cease(s) to be a "person of the relevant category" (e.g. licence holder, person managing, person having control etc), i.e. the interest in the property is disposed of or the licence holder/persons

managing change, then that person's liability to comply with the notice may cease and transfer to the new person(s) of the relevant category. Changes in ownership, management or licence holder should therefore be notified to the Local Authority at an early stage and clarification of liability for compliance should be sought (Section 19).

Penalty – Offence of failing to comply with the Improvement Notice

1. If you, without reasonable excuse fail to comply with the notice you commit an offence punishable in the magistrates' court by an unlimited fine or
2. A Penalty Charge Notice of up to £30,000 and
3. A rent Repayment Order. This requires the landlord to repay the last 12 months rent.

The obligation to take any remedial action specified in the notice in relation to a hazard continues despite the fact that the period for completion of the action has expired.

Landlords in England may be subject to a rent repayment order under the Housing and Planning Act 2016, section 40, to the tenant or local authority (where a housing benefit entitlement applies) under the terms of the rent repayment order.

Other consequences of failing to comply with Improvement Notice

Failure to comply with an improvement notice in England may result in a person or body corporate being banned from letting houses in England, engaging in letting/ management activities in England and being involved in a company or corporate body that carries out activities from which the person is banned under section 14–18 of the Housing and Planning Act 2016. The landlord or body corporate may also be subject to an entry on the database of rogue landlords and property agents under section 29 of the 2016 Act.

Land Charge

1. When the notice becomes operative it will be a local land charge on the premises to which it relates. This means that it will be recorded in the register of local land charges kept by the Council. This register is public, and anyone may search for entries in it upon payment of a fee. Purchasers will normally search this register (Section 37).

Advice

Advice

If you do not understand the contents of this notice or would like to know more about it, please contact the local authority. If you would like to receive independent advice about the contents of this notice, your rights and obligations then please contact The Citizens Advice Bureau, Housing Aid Centre, Law Centre or solicitor. Please be aware that you may qualify for legal aid or otherwise free independent advice from a solicitor or legal advisor for up to half an hour. If you want to know more about the works the local authority require you to do, you may wish to consult a surveyor.

SCHEDULE 1

Category 1 hazards and the deficiencies giving rise to these hazards.

The premises in relation to which the Improvement Notice is served: - **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Category 1 Hazards

Falling on Stairs etc

This hazard covers any fall associated with stairs, steps, and sloping surfaces/ramps, where the change in level is greater than 300mm. It includes both internal and external stairs, steps and ramps, including shared access routes and fire escapes. It includes sloping sections of garden. It also includes falls over guarding (balustrading) associated with stairs, steps and ramps

The deficiencies giving rise to the hazard are:

- The carpeting on the stairs within the building is in poor condition and loose. Firmly anchored carpets increase friction and partially cushion nosing's, reducing the likelihood and severity of harm outcomes of a fall. Having floor surfaces in good condition will also reduce the likelihood and harm outcomes from the fire and explosions hazard below, as defective floor coverings may inhibit escape in the event of a fire.

- The stairs within the building are lacking a handrail which extends the entire flight of the stairs. Handrails improve balance and can arrest a fall if one begins.

Fire and Explosions

This hazard covers threat to health from exposure to uncontrolled fire and associated smoke and fumes at a dwelling. It also covers the threat from the blast of an explosion and flying debris generated by an explosion. The hazard covers the partial or total collapse of a structure as a result of a fire or explosion. The hazard covers exposure to heat and hot gasses from uncontrolled combustion.

The deficiencies giving rise to the hazard are:

- None of the flat front doors in the building are fire resisting, they do not have intumescent strips or smoke seals, do not have self-closers and all contain a mortice lock which requires the use of a key, and allows the spread of smoke and fumes. As the doors open onto the only escape route, it is important that they can resist smoke and fire for a minimum of 30 minutes to allow occupants time to leave safely; being overcome by smoke and fumes is the most common cause of death from fire related fatalities.

- The electricity meter cupboard does not have an appropriate fire resisting enclosure and is situated by the final exit door of the building. As electrical distribution failures are one of the leading causes of accidental fires, these need to be enclosed in

appropriate fire resisting enclosures to prevent the spread of smoke and fire, and in this case, provide for a protected means of escape route from the building.

- There are holes in the floor and ceiling of the meter cupboard around the cabling which allows for the spread of smoke and fire to upper and lower floors. The building construction and condition should limit the spread of smoke and fire as much as possible.

SCHEDULE 2

Schedule of Remedial Action

Premises: **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

All work and materials in this schedule should be completed in accordance with good building practice. The schedule and/or notice is not a permission under Building Regulations or Planning Legislation to undertake the works. All recipients must ensure that where the works require permission under the above legislation, that permission is sought of the Planning Officer, Building Control Officer or Conservation Officer.

Category 1 Hazards

Falling on Stairs etc

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. Ensure the stair floor covering is in a good state of repair and replace if necessary, securely and safely anchor any areas of loose carpet.

2. Install a handrail on all flights of stairs within the dwelling, situated between 900mm and 1000mm high, measured from the pitch line to the top of the handrail. The handrail shall be firmly fastened, capable of being easily grasped and capable of supporting a significant load.

Fire

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. All flat front doors should be rated for 30 minutes of fire resistance, there should be no gaps between the doors or frames larger than 4mm, intumescent strips and smoke seals should be fitted to all doors, be unbroken and unpainted. All doors should have self-closers, all door furniture and ironmongery should be CE or UKCA marked and

match the doors fire rating, thumb turn locks should be provided to flat front doors and the final exit door to prevent delays in escape. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire door survey of all of the doors within the building and undertake any repairs, remedial works or installations as required by the survey.*

2. The walls, floors, ceilings and door within the electricity meter cupboard should be enclosed to provide 60 minutes fire resistance, using appropriately rated products. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire risk assessment of the building and undertake any repairs, remedial works or installations as required by the survey.*
3. Undertake remedial works as specified in the falling on stair hazard points 1 & 2.

Advisory Notes

Private Sector Housing must be informed of the start date of the works. (by email)

At the conclusion of works, remove all surplus materials and rubbish from site and leave the premises in a clean and tidy condition.

All works must be in accordance with current Building Regulations and Planning Regulations.

Make good all disturbed works including internal decorations.

A competent electrician must carry out reinstatement of electrical goods with appropriate certification on completion.

Provide, erect and dismantle upon completion all scaffolding and temporary support as necessary for the proper execution of works.

If in the course of the work the smoke and fire resisting capabilities of structural elements are compromised, then the appropriate work must be carried out to re-establish their integrity.

Work in Occupied Property

Your attention is drawn to the problems of working in occupied property.

Allowance must be made to maintain services and security. Due regard must be given to the tenant's welfare.

Proper advance notification of works is to be given to the tenants and all necessary aid given for moving furniture and fittings, protecting possessions, providing alternative services and temporary rehousing as appropriate.

You are reminded of your obligation under section 11 of the Landlord and Tenant Act 1985 to make good any damages to decorations that occur as a consequence of the above work.

Where the work is of such a nature that alternative accommodation is required for the tenant as a temporary measure, this is to be arranged by the landlord.

[redacted] WK4834

DOVER DISTRICT COUNCIL

HOUSING ACT 2004
Section 8

Statement of Reasons for Decision to Take Enforcement Action

Details of residential premises: **- Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Dover District Council ("the Authority") hereby give this statement of the reasons for their decision to take enforcement action ("the relevant action") in respect of the above premises under sections 5(2) of the Housing Act 2004 ("the Act") namely: -

The service of an Improvement Notice.

The reasons why the Authority have decided to take the relevant action rather than any other kind (or kinds) of enforcement action under the provisions of sections 5(2) of the Act are as follows: -

The condition of the property was brought to our attention during an inspection of one of the flats within the building.
The authority is satisfied that hazards exist at the above premises and that action should be taken in respect of those hazards.

The deficiencies identified at inspection give rise to two Category 1 Hazard when applying the Housing Health and Safety Rating System (HHSRS).

The Category 1 Hazards covered, Falling on Stairs etc and Fire and Explosions.

These hazards would significantly affect the health and safety of those living at the property, however, works can be reasonably and practically carried out to mitigate the risk. The level of risk was also considered to be high because there are members of the vulnerable group living in the property.

In determining the most appropriate action regard has been given to the following:

The building is a converted block of flats, 4 storeys height, with multiple families in occupation. The building is circa 1900's and in a poor general state of repair, with lots of rubbish accumulations in the garden and items stored in the stairways, there are also issues with compartmentation and protected routes. The building only has one means of escape down a main staircase, and the electrical meters are housed by the front door in a flammable enclosure. None of the flat front doors have fire resisting doors and the travel distance is approx. 20m from the second floor flat. The main staircase from the building has defects which would contribute to the increased scoring of both hazards. In addition to the HHSRS guidance, consideration was also given to other relevant Fire Safety guidance such as the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021 and Fire Safety (England) Regulations 2022.

Views of the person in control/owner
The landlords of the property have engaged with the Authority, however as category 1 hazards exists the Authority has a duty to take formal action.

Views of the occupier
Fire safety is very important, especially in multi occupied blocks of flats, and in converted buildings such as this.

The impact of the condition on the occupier
The hazards within the building could cause significant harm to many occupants.

The enforcement policy of the Council
Formal action is required as Category 1 Hazards have been determined and there is a significant risk to health of any occupier.

The following actions (in bold) were considered before the authority made its decision:

The significant nature of the hazards and the risks they pose to occupiers and visitors to the property would not warrant the service of a **Hazard Awareness Notice**. This is because advising the person responsible of the existence of hazards and not requiring remedial action is not considered appropriate.

It is considered that remedial action can be taken in this case and it is reasonable to require work to be carried out. Therefore, the making of a **Prohibition Order** is not considered appropriate in this case.

The hazards encountered do not pose an imminent risk to the health and safety to occupiers and visitors to the property so the taking of **Emergency Remedial Action** or making an **Emergency Prohibition Order** is not appropriate in this case.

There are no good reasons known to the authority that would warrant considering serving a **Suspended Improvement Notice or Suspended Prohibition Order** for a period of time.

Decision
It is considered that the service of an **Improvement Notice** is the most appropriate action to deal with the significant category 1 hazards identified in the premises within a reasonable and defined period of time.

Dated: 15th July 2026 Signed:....



Officer: [redacted]

Designation: Housing Improvement Officer
The officer appointed for this purpose

WK4834

Housing Act 2004
Section 49
Demand for Payment for Certain Enforcement Action

To: [redacted]

Of: [redacted]

1. You are the person on whom an Improvement Notice under section 11 of the Housing Act 2004 was served on 15th July 2026 in respect of the premises known as **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

2. Dover District Council ("the Authority") in exercise of their powers under section 49 of Housing Act 2004 demand payment by you of the sum of £567 being expenses incurred by them in determining whether to serve the notice, in identifying any action to be specified in the notice and in serving the notice.

3. This demand becomes operative, if no appeal is brought against the underlying notice or order, at the end of the period of 21 days beginning with the date of service of this demand. The sum recoverable by the Authority is until recovered, a charge on the premises concerned.

4. Where a tribunal allows an appeal against the underlying notice or order mentioned in paragraph 2 of this demand, it may make such order as it considers appropriate reducing, quashing, or requiring the repayment of, any charge made by this demand in respect of the notice or order.

5. As from the time when this demand becomes operative, the sum recoverable by the Council is, until recovered, a charge on the premises. The charge takes effect at that time as a legal charge which is a local land charge.

Dated: 15th July 2026 Signed: [redacted]

Designation: Senior Housing Improvement Officer

The officer appointed for this purpose

Private Sector Housing Team, Dover District White Cliffs Business Park, Dover, CT16 3PJ. Telephone: (01304) 872397.

Please contact [redacted] on (01304) 872397 if you require further information.

Notes (All statutory references are to the Housing Act 2004 unless otherwise stated)

Sections 49 and 50 of the Act refer to the recovery of expenses relating to enforcement action:

49 Power to charge for certain enforcement action

(1) A local housing authority may make such reasonable charge as they consider appropriate as a means of recovering certain administrative and other expenses incurred by them in—

(a) serving an improvement notice under section 11 or 12;
(b) making a prohibition order under section 20 or 21;
(c) serving a hazard awareness notice under section 28 or 29;
(d) taking emergency remedial action under section 40;
(e) making an emergency prohibition order under section 43; or
(f) making a demolition order under section 265 of the Housing Act 1985.

(2) The expenses are, in the case of the service of an improvement notice or a hazard awareness notice, the expenses incurred in—

(a) determining whether to serve the notice,
(b) identifying any action to be specified in the notice, and
(c) serving the notice.

(3) The expenses are, in the case of emergency remedial action under section 40, the expenses incurred in—

(a) determining whether to take such action, and
(b) serving the notice required by subsection (7) of that section.

(4) The expenses are, in the case of a prohibition order under section 20 or 21 of this Act, an emergency prohibition order under section 43 or a demolition order under section 265 of the Housing Act 1985, the expenses incurred in—

(a) determining whether to make the order, and
(b) serving copies of the order on persons as owners of premises.

(5) A local housing authority may make such reasonable charge as they consider appropriate as a means of recovering expenses incurred by them in—

(a) carrying out any review under section 17 or 26, or
(b) serving copies of the authority's decision on such a review.

(6) The amount of the charge may not exceed such amount as is specified by order of the appropriate national authority.

(7) Where a tribunal allows an appeal against the underlying notice or order mentioned in subsection (1), it may make such order as it considers appropriate reducing, quashing, or requiring the repayment of, any charge under this section made in respect of the notice or order.

Appeals to this charge should be made to:

First-tier Tribunal (Property Chamber) Residential Property
Havant Justice Centre
The Court House
Elmleigh Road
Havant
Hampshire
PO9 2AL
United Kingdom
01243 779 394
rpsouthern@justice.gov.uk

DOVER DISTRICT COUNCIL

[redacted]

Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: **(01304) 821199**
Fax: **(01304) 872217**
DX: **6312**
Minicom: **(01304) 820115**
Website: **www.dover.gov.uk**

Contact: [redacted]
Direct line: [redacted]
E-mail: [redacted]
Our ref:
Your ref: WK/4834
Date: 15th July 2026

Dear [redacted],

Housing Act 2004, Sections 11 – Communal Parts, 34 Salisbury Road, Dover, CT16 1EU

Further to my previous correspondence and initial visit in relation to the above property. Please find enclosed an Improvement Notice in respect of a number of detects giving rise to a number of category 1 & 2 Hazards, and the Local Housing Authority are obliged under the Housing Act 2004 to take action in such matters.

Please be advised that you do have the right of appeal against the notices to the First-tier (Property Chamber) Tribunal, within 21 days from the date of service (please see notes overleaf)

The Council intends to charge £567 for the service of such notices under section 49 Housing Act 2004. However, if the works are completed before the expiry date of the Notice then the charge will be waived.

I would confirm that improvement notices have been served on the occupiers, and any other person who has an interest in the property.

I hope the above information clarifies the Authorities position. Should you require any further information or clarification, please contact me at the above address.

Yours Sincerely

[redacted]

[redacted]
Housing Improvement Officer

Inc Section 11 Improvement Notice
Section 8 Statement of Reasons
Section 49 Recovery of Expenses

[redacted] WK4834

Dover District Council
White Cliffs Business Park
Dover
Kent CT16 3PJ

Notice	Housing Act 2004 Part 1 - Section 11
	Improvement Notice
To:	[redacted]
Of:	[redacted]
Relating to	Communal Parts, 34 Salisbury Road, Dover, CT16 1EU "The premises"
Hazards	Dover District Council ('the authority') give notice that they are satisfied that there are category 1 hazards that exist at Communal Parts, 34 Salisbury Road, Dover, CT16 1EU, and that no Management Order is in force in relation to the premises under Chapter 1 or 2 of Part 4 of the Housing Act 2004.
Improvement Notice	The authority serves this Improvement Notice and requires you to take the remedial action specified.
Deficiencies	Details of the deficiencies giving rise to the hazards are contained in Schedule 1 and details of the remedial action required are contained in Schedule 2.
Most appropriate course of action	The authority considers the service of this Improvement Notice as the most appropriate course of action for the reasons stated in the attached statement of reasons.
Compliance Date	The compliance dates for this Improvement Notice are contained in schedule 2.
Offence	A person on whom an Improvement Notice is served, commits an offence if he fails to comply with it and is liable to the following actions: - On summary conviction (Prosecution) to a fine, or - A Penalty Charge Notice of up to £30,000 and - A Rent Repayment Order. This requires a landlord to repay the last 12 months rent.
Appeal	The person on whom an Improvement Notice is served may appeal to a Property Chamber of the First Tier Tribunal (PC) against the notice within the period of 21 days beginning with the date on which the Improvement Notice was served.
Alternative Action	If you consider that alternative remedial action will address the hazards identified in the Notice you should contact the investigating officer [redacted] The Authority has the power to vary an Improvement Notice by agreement under Section 16 of the Act.

Copies of this notice will be served on every other person who, to the knowledge of the local authority, is an occupier of the premises or has a relevant interest, that is an interest as freeholder, mortgagee or lessee.

Officer

Signature:

[redacted]

Designation: Senior Housing Improvement Officer
The officer appointed for this purpose

Date: 15th July 2026

Contact address:
Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Email:
privatesectorhousing@dover.gov.uk

Telephone:
TEL: 01304 872397

Notes

Meaning of "category 1 hazard" and "category 2 hazard"
"Category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount:

"Category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and

"Hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise).

"prescribed" means prescribed by regulations made by the appropriate national authority (see section 261(1)); and
"prescribed band" means a band so prescribed for a category 1 hazard or a category 2 hazard, as the case may be.
"building" includes part of a building;
"harm" includes temporary harm;
"health" includes mental health.

Right of Appeal (under Schedule 1, Part 3 of the Housing Act 2004)
If you do not agree with this notice you may appeal against it to the residential property tribunal, but you must do this within **21** days after this notice is served on you.

Southern Property Tribunal
First-Tier Tribunal (Property Chamber)
Havant Justice Centre
The Court House
Elmleigh Road
Havant,
Portsmouth
Hampshire
PO9 2AL
Tel: 01243 779394
Email: rpsouthern@hmcts.gsi.gov.uk

These notes are intended as general information to the recipient(s) of this as a summary of their rights of appeal against the notice. The notes are not intended to be definitive and any person(s) considering an appeal are advised to seek independent legal advice and/or refer to the full version of Schedule 1 to the Housing Act 2004. Further advice can be obtained from the Residential Property www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber

1. The person on whom this notice is served may appeal to a residential property tribunal against the notice. The person must appeal using a Notice of Appeal which can be obtained from the residential property tribunal. Paragraphs 11 and 12 set out two specific grounds on which an appeal may be made under this paragraph, but they do not affect the generality.

2. An appeal may be made by a person under Schedule 1, Part 3, 10 of the Housing Act 2004 on the ground that one or more other persons, as an owner or owners of the specified premises, ought to take the action concerned, or pay the whole or part of the cost of taking that action.

3. Where the grounds on which an appeal is made under paragraph 10 consist of or include the ground mentioned in 1 you must serve your notice of appeal on the person(s) concerned.

4. An appeal may be made by a person under paragraph 10 on the ground that rather than service of this improvement notice one of the alternative courses of action below is the best course of action in relation to the hazard in respect of which this notice was served:

(a) The making of a prohibition order under section 20 or 21 of the Housing Act 2004;
(b) The service of a hazard awareness notice under section 28 or 29 of the Housing Act 2004; and
I The making of a demolition order under section 265 of the Housing Act 1985 (c.68).

Time limit for appeal

14. Any appeal under paragraph 10 must be made within the period of 21 days of the correct service of this notice. A residential property tribunal may allow an appeal to be made to it after the expiry of the 21 day period if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).

Powers of the Residential Property Tribunal

1. The appeal will be heard by the residential property tribunal by way of a re-hearing but may be determined having regard to matters of which the authority was unaware.
2. The tribunal may by order confirm, quash or vary the improvement notice.
3. Where the appeal is made on the ground specified in Schedule 1, Part 3, 11 of the Housing Act 2004 the tribunal may;

- vary the improvement notice so as to require the action to be taken by any owner mentioned in the notice of appeal in accordance with Schedule 1, Part 3, 11 of the Housing Act 2004.

- it may make such order as it considers appropriate with respect to the payment to be made by any such owner to the appellant or, where the action is taken by the local housing authority, to the authority.

4. In the exercise of its powers under 2 above the tribunal must take into account, as between the appellant and any such owner (a) their relative interests in the premises concerned (considering both the nature of the interests and the rights and obligations arising under or by virtue of them); (b) their relative responsibility for the state of the premises which gives rise to the need for the taking of the action concerned; and (c) the relative degree of benefit to be derived from the taking of the action concerned.

5. Where the appeal is made on the ground specified in paragraph 12(2) the tribunal when deciding whether one of the courses of action mentioned is the best course of action in relation to a particular hazard, must have regard to any guidance given to the local housing authority under section 9 of the Housing Act 2004. If the tribunal finds that an alternative course of action was the best course of action it must, if requested by the appellant or the Council, identify that course of action.

Operative time for the Notice following Appeal (Schedule 1, Part 3, 19(2))

1. If an appeal is made under Schedule 1, Part 3, paragraph 10 of the Housing Act 2004 against an improvement notice which is not suspended, and a decision on the appeal is given which confirms the notice "the operative time" is as follows:

(a) if the period within which an appeal to the Lands Tribunal may be brought expires without such an appeal having been brought, "the operative time" is the end of that period;

(b) if an appeal to the Lands Tribunal is brought, "the operative time" is the time when a decision is given on the appeal which confirms the notice.

2. If an appeal is made under Schedule 1, Part 3, paragraph 10 of the Housing Act 2004 against an improvement notice which is suspended and a decision is given on the appeal which confirms the notice, "the operative time" is as follows:

(a) the time that would be the operative time under sub paragraph (2) if the notice were not suspended, or

(b) if later, the time when the suspension ends.

Power to take action without agreement (Part 2 and Part 3 of Schedule 3 of the Housing Act 2004)

1. If you do not comply with the notice, the Council may do the works themselves and charge you with the cost.
2. If during the period in which the works are to be carried out the Council think that reasonable progress is not being made, they may, after giving notice in writing of their intention to do so, do the work themselves and charge you with the cost.
3. Until recovered, the expenses recoverable by the Council together with any accrued interest on them, are a charge on the premises to which the improvement notice related.

Power to take action with agreement (Part 1 of Schedule 3 of the Housing Act 2004)

If you have difficulty in finding a builder to do the works or have any other problems in arranging the works, you can ask the Council if they will do the work themselves and charge you with the cost.

Application for revocation or variation of the Notice

If you are satisfied that the requirements of the notice have been complied with in full, or where the notice relates to a number of different hazards that the requirements of the notice relating to some of the hazards have been complied with, you may apply to the Local Authority for revocation or variation of the notice as appropriate (Section 16).

Changes in person(s) liable to comply with the Notice after service

If, after the service of the notice, the person(s) on whom it was served cease(s) to be a "person of the relevant category" (e.g. licence holder, person managing, person having control etc), i.e. the interest in the property is disposed of or the licence holder/persons

managing change, then that person's liability to comply with the notice may cease and transfer to the new person(s) of the relevant category. Changes in ownership, management or licence holder should therefore be notified to the Local Authority at an early stage and clarification of liability for compliance should be sought (Section 19).

Penalty – Offence of failing to comply with the Improvement Notice

1. If you, without reasonable excuse fail to comply with the notice you commit an offence punishable in the magistrates' court by an unlimited fine or
2. A Penalty Charge Notice of up to £30,000 and
3. A rent Repayment Order. This requires the landlord to repay the last 12 months rent.

The obligation to take any remedial action specified in the notice in relation to a hazard continues despite the fact that the period for completion of the action has expired.

Landlords in England may be subject to a rent repayment order under the Housing and Planning Act 2016, section 40, to the tenant or local authority (where a housing benefit entitlement applies) under the terms of the rent repayment order.

Other consequences of failing to comply with Improvement Notice

Failure to comply with an improvement notice in England may result in a person or body corporate being banned from letting houses in England, engaging in letting/ management activities in England and being involved in a company or corporate body that carries out activities from which the person is banned under section 14–18 of the Housing and Planning Act 2016. The landlord or body corporate may also be subject to an entry on the database of rogue landlords and property agents under section 29 of the 2016 Act.

Land Charge

1. When the notice becomes operative it will be a local land charge on the premises to which it relates. This means that it will be recorded in the register of local land charges kept by the Council. This register is public, and anyone may search for entries in it upon payment of a fee. Purchasers will normally search this register (Section 37).

Advice

Advice

If you do not understand the contents of this notice or would like to know more about it, please contact the local authority. If you would like to receive independent advice about the contents of this notice, your rights and obligations then please contact The Citizens Advice Bureau, Housing Aid Centre, Law Centre or solicitor. Please be aware that you may qualify for legal aid or otherwise free independent advice from a solicitor or legal advisor for up to half an hour. If you want to know more about the works the local authority require you to do, you may wish to consult a surveyor.

SCHEDULE 1

Category 1 hazards and the deficiencies giving rise to these hazards.

The premises in relation to which the Improvement Notice is served: - **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Category 1 Hazards

Falling on Stairs etc

This hazard covers any fall associated with stairs, steps, and sloping surfaces/ramps, where the change in level is greater than 300mm. It includes both internal and external stairs, steps and ramps, including shared access routes and fire escapes. It includes sloping sections of garden. It also includes falls over guarding (balustrading) associated with stairs, steps and ramps

The deficiencies giving rise to the hazard are:

- The carpeting on the stairs within the building is in poor condition and loose. Firmly anchored carpets increase friction and partially cushion nosing's, reducing the likelihood and severity of harm outcomes of a fall. Having floor surfaces in good condition will also reduce the likelihood and harm outcomes from the fire and explosions hazard below, as defective floor coverings may inhibit escape in the event of a fire.

- The stairs within the building are lacking a handrail which extends the entire flight of the stairs. Handrails improve balance and can arrest a fall if one begins.

Fire and Explosions

This hazard covers threat to health from exposure to uncontrolled fire and associated smoke and fumes at a dwelling. It also covers the threat from the blast of an explosion and flying debris generated by an explosion. The hazard covers the partial or total collapse of a structure as a result of a fire or explosion. The hazard covers exposure to heat and hot gasses from uncontrolled combustion.

The deficiencies giving rise to the hazard are:

- None of the flat front doors in the building are fire resisting, they do not have intumescent strips or smoke seals, do not have self-closers and all contain a mortice lock which requires the use of a key, and allows the spread of smoke and fumes. As the doors open onto the only escape route, it is important that they can resist smoke and fire for a minimum of 30 minutes to allow occupants time to leave safely; being overcome by smoke and fumes is the most common cause of death from fire related fatalities.

- The electricity meter cupboard does not have an appropriate fire resisting enclosure and is situated by the final exit door of the building. As electrical distribution failures are one of the leading causes of accidental fires, these need to be enclosed in

appropriate fire resisting enclosures to prevent the spread of smoke and fire, and in this case, provide for a protected means of escape route from the building.

- There are holes in the floor and ceiling of the meter cupboard around the cabling which allows for the spread of smoke and fire to upper and lower floors. The building construction and condition should limit the spread of smoke and fire as much as possible.

SCHEDULE 2

Schedule of Remedial Action

Premises: **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

All work and materials in this schedule should be completed in accordance with good building practice. The schedule and/or notice is not a permission under Building Regulations or Planning Legislation to undertake the works. All recipients must ensure that where the works require permission under the above legislation, that permission is sought of the Planning Officer, Building Control Officer or Conservation Officer.

Category 1 Hazards

Falling on Stairs etc

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. Ensure the stair floor covering is in a good state of repair and replace if necessary, securely and safely anchor any areas of loose carpet.

2. Install a handrail on all flights of stairs within the dwelling, situated between 900mm and 1000mm high, measured from the pitch line to the top of the handrail. The handrail shall be firmly fastened, capable of being easily grasped and capable of supporting a significant load.

Fire

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. All flat front doors should be rated for 30 minutes of fire resistance, there should be no gaps between the doors or frames larger than 4mm, intumescent strips and smoke seals should be fitted to all doors, be unbroken and unpainted. All doors should have self-closers, all door furniture and ironmongery should be CE or UKCA marked and

match the doors fire rating, thumb turn locks should be provided to flat front doors and the final exit door to prevent delays in escape. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire door survey of all of the doors within the building and undertake any repairs, remedial works or installations as required by the survey.*

2. The walls, floors, ceilings and door within the electricity meter cupboard should be enclosed to provide 60 minutes fire resistance, using appropriately rated products. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire risk assessment of the building and undertake any repairs, remedial works or installations as required by the survey.*
3. Undertake remedial works as specified in the falling on stair hazard points 1 & 2.

Advisory Notes

Private Sector Housing must be informed of the start date of the works. (by email)

At the conclusion of works, remove all surplus materials and rubbish from site and leave the premises in a clean and tidy condition.

All works must be in accordance with current Building Regulations and Planning Regulations.

Make good all disturbed works including internal decorations.

A competent electrician must carry out reinstatement of electrical goods with appropriate certification on completion.

Provide, erect and dismantle upon completion all scaffolding and temporary support as necessary for the proper execution of works.

If in the course of the work the smoke and fire resisting capabilities of structural elements are compromised, then the appropriate work must be carried out to re-establish their integrity.

Work in Occupied Property

Your attention is drawn to the problems of working in occupied property.

Allowance must be made to maintain services and security. Due regard must be given to the tenant's welfare.

Proper advance notification of works is to be given to the tenants and all necessary aid given for moving furniture and fittings, protecting possessions, providing alternative services and temporary rehousing as appropriate.

You are reminded of your obligation under section 11 of the Landlord and Tenant Act 1985 to make good any damages to decorations that occur as a consequence of the above work.

Where the work is of such a nature that alternative accommodation is required for the tenant as a temporary measure, this is to be arranged by the landlord.

[redacted] WK4834

DOVER DISTRICT COUNCIL

HOUSING ACT 2004
Section 8

Statement of Reasons for Decision to Take Enforcement Action

Details of residential premises: **- Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Dover District Council ("the Authority") hereby give this statement of the reasons for their decision to take enforcement action ("the relevant action") in respect of the above premises under sections 5(2) of the Housing Act 2004 ("the Act") namely: -

The service of an Improvement Notice.

The reasons why the Authority have decided to take the relevant action rather than any other kind (or kinds) of enforcement action under the provisions of sections 5(2) of the Act are as follows: -

The condition of the property was brought to our attention during an inspection of one of the flats within the building.
The authority is satisfied that hazards exist at the above premises and that action should be taken in respect of those hazards.

The deficiencies identified at inspection give rise to two Category 1 Hazard when applying the Housing Health and Safety Rating System (HHSRS).

The Category 1 Hazards covered, Falling on Stairs etc and Fire and Explosions.

These hazards would significantly affect the health and safety of those living at the property, however, works can be reasonably and practically carried out to mitigate the risk. The level of risk was also considered to be high because there are members of the vulnerable group living in the property.

In determining the most appropriate action regard has been given to the following:

The building is a converted block of flats, 4 storeys height, with multiple families in occupation. The building is circa 1900's and in a poor general state of repair, with lots of rubbish accumulations in the garden and items stored in the stairways, there are also issues with compartmentation and protected routes. The building only has one means of escape down a main staircase, and the electrical meters are housed by the front door in a flammable enclosure. None of the flat front doors have fire resisting doors and the travel distance is approx. 20m from the second floor flat. The main staircase from the building has defects which would contribute to the increased scoring of both hazards. In addition to the HHSRS guidance, consideration was also given to other relevant Fire Safety guidance such as the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021 and Fire Safety (England) Regulations 2022.

Views of the person in control/owner
The landlords of the property have engaged with the Authority, however as category 1 hazards exists the Authority has a duty to take formal action.

Views of the occupier
Fire safety is very important, especially in multi occupied blocks of flats, and in converted buildings such as this.

The impact of the condition on the occupier
The hazards within the building could cause significant harm to many occupants.

The enforcement policy of the Council
Formal action is required as Category 1 Hazards have been determined and there is a significant risk to health of any occupier.

The following actions (in bold) were considered before the authority made its decision:

The significant nature of the hazards and the risks they pose to occupiers and visitors to the property would not warrant the service of a **Hazard Awareness Notice**. This is because advising the person responsible of the existence of hazards and not requiring remedial action is not considered appropriate.

It is considered that remedial action can be taken in this case and it is reasonable to require work to be carried out. Therefore, the making of a **Prohibition Order** is not considered appropriate in this case.

The hazards encountered do not pose an imminent risk to the health and safety to occupiers and visitors to the property so the taking of **Emergency Remedial Action** or making an **Emergency Prohibition Order** is not appropriate in this case.

There are no good reasons known to the authority that would warrant considering serving a **Suspended Improvement Notice or Suspended Prohibition Order** for a period of time.

Decision
It is considered that the service of an **Improvement Notice** is the most appropriate action to deal with the significant category 1 hazards identified in the premises within a reasonable and defined period of time.

Dated: 15th July 2026 Signed: [redacted]

Officer: [redacted]

Designation: Housing Improvement Officer
The officer appointed for this purpose

WK4834

Housing Act 2004
Section 49
Demand for Payment for Certain Enforcement Action

To: [redacted]

Of: [redacted]

1. You are the person on whom an Improvement Notice under section 11 of the Housing Act 2004 was served on 15th July 2026 in respect of the premises known as **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

2. Dover District Council ("the Authority") in exercise of their powers under section 49 of Housing Act 2004 demand payment by you of the sum of £567 being expenses incurred by them in determining whether to serve the notice, in identifying any action to be specified in the notice and in serving the notice.

3. This demand becomes operative, if no appeal is brought against the underlying notice or order, at the end of the period of 21 days beginning with the date of service of this demand. The sum recoverable by the Authority is until recovered, a charge on the premises concerned.

4. Where a tribunal allows an appeal against the underlying notice or order mentioned in paragraph 2 of this demand, it may make such order as it considers appropriate reducing, quashing, or requiring the repayment of, any charge made by this demand in respect of the notice or order.

5. As from the time when this demand becomes operative, the sum recoverable by the Council is, until recovered, a charge on the premises. The charge takes effect at that time as a legal charge which is a local land charge.

Dated: 15th July 2026 Signed: [redacted]

Designation: Senior Housing Improvement Officer

The officer appointed for this purpose

Private Sector Housing Team, Dover District White Cliffs Business Park, Dover, CT16 3PJ. Telephone: (01304) 872397.

Please contact [redacted] on (01304) 872397 if you require further information.

Notes (All statutory references are to the Housing Act 2004 unless otherwise stated)

Sections 49 and 50 of the Act refer to the recovery of expenses relating to enforcement action:

49 Power to charge for certain enforcement action

(1) A local housing authority may make such reasonable charge as they consider appropriate as a means of recovering certain administrative and other expenses incurred by them in—

(a) serving an improvement notice under section 11 or 12;
(b) making a prohibition order under section 20 or 21;
(c) serving a hazard awareness notice under section 28 or 29;
(d) taking emergency remedial action under section 40;
(e) making an emergency prohibition order under section 43; or
(f) making a demolition order under section 265 of the Housing Act 1985.

(2) The expenses are, in the case of the service of an improvement notice or a hazard awareness notice, the expenses incurred in—

(a) determining whether to serve the notice,
(b) identifying any action to be specified in the notice, and
(c) serving the notice.

(3) The expenses are, in the case of emergency remedial action under section 40, the expenses incurred in—

(a) determining whether to take such action, and
(b) serving the notice required by subsection (7) of that section.

(4) The expenses are, in the case of a prohibition order under section 20 or 21 of this Act, an emergency prohibition order under section 43 or a demolition order under section 265 of the Housing Act 1985, the expenses incurred in—

(a) determining whether to make the order, and
(b) serving copies of the order on persons as owners of premises.

(5) A local housing authority may make such reasonable charge as they consider appropriate as a means of recovering expenses incurred by them in—

(a) carrying out any review under section 17 or 26, or
(b) serving copies of the authority's decision on such a review.

(6) The amount of the charge may not exceed such amount as is specified by order of the appropriate national authority.

(7) Where a tribunal allows an appeal against the underlying notice or order mentioned in subsection (1), it may make such order as it considers appropriate reducing, quashing, or requiring the repayment of, any charge under this section made in respect of the notice or order.

Appeals to this charge should be made to:

First-tier Tribunal (Property Chamber) Residential Property
Havant Justice Centre
The Court House
Elmleigh Road
Havant
Hampshire
PO9 2AL
United Kingdom
01243 779 394

DOVER DISTRICT COUNCIL

[redacted]

Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: **(01304) 821199**
Fax: **(01304) 872217**
DX: **6312**
Minicom: **(01304) 820115**
Website: **www.dover.gov.uk**

Contact: [redacted]
Direct line: [redacted]
E-mail: [redacted]
Our ref:
Your ref: WK/4834
Date: 15th July 2026

Dear [redacted]

Housing Act 2004, Section 11 – Communal Parts, 34 Salisbury Road, Dover, CT16 1EU

I am writing to inform you that an Improvement Notice has been served on the owners, regarding works that need to be carried out to the above-mentioned property. Under the Housing Act 2004 I am required to inform you as somebody with an interest in the property, and give you a copy of the Notice, which is duly enclosed.

Should you require any further information or help in relation to this matter, please contact me at the above address.

Yours sincerely

[redacted]

[redacted]
Housing Improvement Officer

Enc Section 11 Improvement Notice and Section 8 Statement of Reasons

[redacted] WK4834

Dover District Council
White Cliffs Business Park
Dover
Kent CT16 3PJ

Notice	Housing Act 2004 Part 1 - Section 11
	Improvement Notice
To:	[redacted]
Of:	[redacted]
Relating to	Communal Parts, 34 Salisbury Road, Dover, CT16 1EU "The premises"
Hazards	Dover District Council ('the authority') give notice that they are satisfied that there are category 1 hazards that exist at Communal Parts, 34 Salisbury Road, Dover, CT16 1EU, and that no Management Order is in force in relation to the premises under Chapter 1 or 2 of Part 4 of the Housing Act 2004.
Improvement Notice	The authority serves this Improvement Notice and requires you to take the remedial action specified.
Deficiencies	Details of the deficiencies giving rise to the hazards are contained in Schedule 1 and details of the remedial action required are contained in Schedule 2.
Most appropriate course of action	The authority considers the service of this Improvement Notice as the most appropriate course of action for the reasons stated in the attached statement of reasons.
Compliance Date	The compliance dates for this Improvement Notice are contained in schedule 2.
Offence	A person on whom an Improvement Notice is served, commits an offence if he fails to comply with it and is liable to the following actions: - On summary conviction (Prosecution) to a fine, or - A Penalty Charge Notice of up to £30,000 and - A Rent Repayment Order. This requires a landlord to repay the last 12 months rent.
Appeal	The person on whom an Improvement Notice is served may appeal to a Property Chamber of the First Tier Tribunal (PC) against the notice within the period of 21 days beginning with the date on which the Improvement Notice was served.
Alternative Action	If you consider that alternative remedial action will address the hazards identified in the Notice you should contact the investigating officer [redacted] The Authority has the power to vary an Improvement Notice by agreement under Section 16 of the Act.

Copies of this notice will be served on every other person who, to the knowledge of the local authority, is an occupier of the premises or has a relevant interest, that is an interest as freeholder, mortgagee or lessee.

Officer

Signature:

[redacted]

Designation: Senior Housing Improvement Officer
The officer appointed for this purpose

Date: 15th July 2026

Contact address:
Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Email:
privatesectorhousing@dover.gov.uk

Telephone:
TEL: 01304 872397

Notes

Meaning of "category 1 hazard" and "category 2 hazard"
"Category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount:

"Category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and

"Hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise).

"prescribed" means prescribed by regulations made by the appropriate national authority (see section 261(1)); and
"prescribed band" means a band so prescribed for a category 1 hazard or a category 2 hazard, as the case may be.
"building" includes part of a building;
"harm" includes temporary harm;
"health" includes mental health.

Right of Appeal (under Schedule 1, Part 3 of the Housing Act 2004)
If you do not agree with this notice you may appeal against it to the residential property tribunal, but you must do this within **21** days after this notice is served on you.

Southern Property Tribunal
First-Tier Tribunal (Property Chamber)
Havant Justice Centre
The Court House
Elmleigh Road
Havant,
Portsmouth
Hampshire
PO9 2AL
Tel: 01243 779394
Email: rpsouthern@hmcts.gsi.gov.uk

These notes are intended as general information to the recipient(s) of this as a summary of their rights of appeal against the notice. The notes are not intended to be definitive and any person(s) considering an appeal are advised to seek independent legal advice and/or refer to the full version of Schedule 1 to the Housing Act 2004. Further advice can be obtained from the Residential Property www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber

1. The person on whom this notice is served may appeal to a residential property tribunal against the notice. The person must appeal using a Notice of Appeal which can be obtained from the residential property tribunal. Paragraphs 11 and 12 set out two specific grounds on which an appeal may be made under this paragraph, but they do not affect the generality.

2. An appeal may be made by a person under Schedule 1, Part 3, 10 of the Housing Act 2004 on the ground that one or more other persons, as an owner or owners of the specified premises, ought to take the action concerned, or pay the whole or part of the cost of taking that action.

3. Where the grounds on which an appeal is made under paragraph 10 consist of or include the ground mentioned in 1 you must serve your notice of appeal on the person(s) concerned.

4. An appeal may be made by a person under paragraph 10 on the ground that rather than service of this improvement notice one of the alternative courses of action below is the best course of action in relation to the hazard in respect of which this notice was served:

(a) The making of a prohibition order under section 20 or 21 of the Housing Act 2004;
(b) The service of a hazard awareness notice under section 28 or 29 of the Housing Act 2004; and
I The making of a demolition order under section 265 of the Housing Act 1985 (c.68).

Time limit for appeal
14. Any appeal under paragraph 10 must be made within the period of 21 days of the correct service of this notice. A residential property tribunal may allow an appeal to be made to it after the expiry of the 21 day period if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).

Powers of the Residential Property Tribunal
1. The appeal will be heard by the residential property tribunal by way of a re-hearing but may be determined having regard to matters of which the authority was unaware.
2. The tribunal may by order confirm, quash or vary the improvement notice.
3. Where the appeal is made on the ground specified in Schedule 1, Part 3, 11 of the Housing Act 2004 the tribunal may;
- vary the improvement notice so as to require the action to be taken by any owner mentioned in the notice of appeal in accordance with Schedule 1, Part 3, 11 of the Housing Act 2004.

- it may make such order as it considers appropriate with respect to the payment to be made by any such owner to the appellant or, where the action is taken by the local housing authority, to the authority.

4. In the exercise of its powers under 2 above the tribunal must take into account, as between the appellant and any such owner (a) their relative interests in the premises concerned (considering both the nature of the interests and the rights and obligations arising under or by virtue of them); (b) their relative responsibility for the state of the premises which gives rise to the need for the taking of the action concerned; and (c) the relative degree of benefit to be derived from the taking of the action concerned.

5. Where the appeal is made on the ground specified in paragraph 12(2) the tribunal when deciding whether one of the courses of action mentioned is the best course of action in relation to a particular hazard, must have regard to any guidance given to the local housing authority under section 9 of the Housing Act 2004. If the tribunal finds that an alternative course of action was the best course of action it must, if requested by the appellant or the Council, identify that course of action.

Operative time for the Notice following Appeal (Schedule 1, Part 3, 19(2))

1. If an appeal is made under Schedule 1, Part 3, paragraph 10 of the Housing Act 2004 against an improvement notice which is not suspended, and a decision on the appeal is given which confirms the notice "the operative time" is as follows:

(a) if the period within which an appeal to the Lands Tribunal may be brought expires without such an appeal having been brought, "the operative time" is the end of that period;

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(a) the time that would be the operative time under sub paragraph (2) if the notice were not suspended, or

(b) if later, the time when the suspension ends.

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1. If you do not comply with the notice, the Council may do the works themselves and charge you with the cost.
2. If during the period in which the works are to be carried out the Council think that reasonable progress is not being made, they may, after giving notice in writing of their intention to do so, do the work themselves and charge you with the cost.
3. Until recovered, the expenses recoverable by the Council together with any accrued interest on them, are a charge on the premises to which the improvement notice related.

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If you have difficulty in finding a builder to do the works or have any other problems in arranging the works, you can ask the Council if they will do the work themselves and charge you with the cost.

Application for revocation or variation of the Notice

If you are satisfied that the requirements of the notice have been complied with in full, or where the notice relates to a number of different hazards that the requirements of the notice relating to some of the hazards have been complied with, you may apply to the Local Authority for revocation or variation of the notice as appropriate (Section 16).

Changes in person(s) liable to comply with the Notice after service

If, after the service of the notice, the person(s) on whom it was served cease(s) to be a "person of the relevant category" (e.g. licence holder, person managing, person having control etc), i.e. the interest in the property is disposed of or the licence holder/persons

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1. If you, without reasonable excuse fail to comply with the notice you commit an offence punishable in the magistrates' court by an unlimited fine or
2. A Penalty Charge Notice of up to £30,000 and
3. A rent Repayment Order. This requires the landlord to repay the last 12 months rent.

The obligation to take any remedial action specified in the notice in relation to a hazard continues despite the fact that the period for completion of the action has expired.

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Failure to comply with an improvement notice in England may result in a person or body corporate being banned from letting houses in England, engaging in letting/ management activities in England and being involved in a company or corporate body that carries out activities from which the person is banned under section 14–18 of the Housing and Planning Act 2016. The landlord or body corporate may also be subject to an entry on the database of rogue landlords and property agents under section 29 of the 2016 Act.

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1. When the notice becomes operative it will be a local land charge on the premises to which it relates. This means that it will be recorded in the register of local land charges kept by the Council. This register is public, and anyone may search for entries in it upon payment of a fee. Purchasers will normally search this register (Section 37).

Advice

Advice

If you do not understand the contents of this notice or would like to know more about it, please contact the local authority. If you would like to receive independent advice about the contents of this notice, your rights and obligations then please contact The Citizens Advice Bureau, Housing Aid Centre, Law Centre or solicitor. Please be aware that you may qualify for legal aid or otherwise free independent advice from a solicitor or legal advisor for up to half an hour. If you want to know more about the works the local authority require you to do, you may wish to consult a surveyor.

SCHEDULE 1

Category 1 hazards and the deficiencies giving rise to these hazards.

The premises in relation to which the Improvement Notice is served: - **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Category 1 Hazards

Falling on Stairs etc

This hazard covers any fall associated with stairs, steps, and sloping surfaces/ramps, where the change in level is greater than 300mm. It includes both internal and external stairs, steps and ramps, including shared access routes and fire escapes. It includes sloping sections of garden. It also includes falls over guarding (balustrading) associated with stairs, steps and ramps

The deficiencies giving rise to the hazard are:

- The carpeting on the stairs within the building is in poor condition and loose. Firmly anchored carpets increase friction and partially cushion nosing's, reducing the likelihood and severity of harm outcomes of a fall. Having floor surfaces in good condition will also reduce the likelihood and harm outcomes from the fire and explosions hazard below, as defective floor coverings may inhibit escape in the event of a fire.

- The stairs within the building are lacking a handrail which extends the entire flight of the stairs. Handrails improve balance and can arrest a fall if one begins.

Fire and Explosions

This hazard covers threat to health from exposure to uncontrolled fire and associated smoke and fumes at a dwelling. It also covers the threat from the blast of an explosion and flying debris generated by an explosion. The hazard covers the partial or total collapse of a structure as a result of a fire or explosion. The hazard covers exposure to heat and hot gasses from uncontrolled combustion.

The deficiencies giving rise to the hazard are:

- None of the flat front doors in the building are fire resisting, they do not have intumescent strips or smoke seals, do not have self-closers and all contain a mortice lock which requires the use of a key, and allows the spread of smoke and fumes. As the doors open onto the only escape route, it is important that they can resist smoke and fire for a minimum of 30 minutes to allow occupants time to leave safely; being overcome by smoke and fumes is the most common cause of death from fire related fatalities.

- The electricity meter cupboard does not have an appropriate fire resisting enclosure and is situated by the final exit door of the building. As electrical distribution failures are one of the leading causes of accidental fires, these need to be enclosed in

appropriate fire resisting enclosures to prevent the spread of smoke and fire, and in this case, provide for a protected means of escape route from the building.

- There are holes in the floor and ceiling of the meter cupboard around the cabling which allows for the spread of smoke and fire to upper and lower floors. The building construction and condition should limit the spread of smoke and fire as much as possible.

SCHEDULE 2

Schedule of Remedial Action

Premises: **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

All work and materials in this schedule should be completed in accordance with good building practice. The schedule and/or notice is not a permission under Building Regulations or Planning Legislation to undertake the works. All recipients must ensure that where the works require permission under the above legislation, that permission is sought of the Planning Officer, Building Control Officer or Conservation Officer.

Category 1 Hazards

Falling on Stairs etc

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. Ensure the stair floor covering is in a good state of repair and replace if necessary, securely and safely anchor any areas of loose carpet.

2. Install a handrail on all flights of stairs within the dwelling, situated between 900mm and 1000mm high, measured from the pitch line to the top of the handrail. The handrail shall be firmly fastened, capable of being easily grasped and capable of supporting a significant load.

Fire

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. All flat front doors should be rated for 30 minutes of fire resistance, there should be no gaps between the doors or frames larger than 4mm, intumescent strips and smoke seals should be fitted to all doors, be unbroken and unpainted. All doors should have self-closers, all door furniture and ironmongery should be CE or UKCA marked and

match the doors fire rating, thumb turn locks should be provided to flat front doors and the final exit door to prevent delays in escape. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire door survey of all of the doors within the building and undertake any repairs, remedial works or installations as required by the survey.*

2. The walls, floors, ceilings and door within the electricity meter cupboard should be enclosed to provide 60 minutes fire resistance, using appropriately rated products. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire risk assessment of the building and undertake any repairs, remedial works or installations as required by the survey.*
3. Undertake remedial works as specified in the falling on stair hazard points 1 & 2.

Advisory Notes

Private Sector Housing must be informed of the start date of the works. (by email)

At the conclusion of works, remove all surplus materials and rubbish from site and leave the premises in a clean and tidy condition.

All works must be in accordance with current Building Regulations and Planning Regulations.

Make good all disturbed works including internal decorations.

A competent electrician must carry out reinstatement of electrical goods with appropriate certification on completion.

Provide, erect and dismantle upon completion all scaffolding and temporary support as necessary for the proper execution of works.

If in the course of the work the smoke and fire resisting capabilities of structural elements are compromised, then the appropriate work must be carried out to re-establish their integrity.

Work in Occupied Property

Your attention is drawn to the problems of working in occupied property.

Allowance must be made to maintain services and security. Due regard must be given to the tenant's welfare.

Proper advance notification of works is to be given to the tenants and all necessary aid given for moving furniture and fittings, protecting possessions, providing alternative services and temporary rehousing as appropriate.

You are reminded of your obligation under section 11 of the Landlord and Tenant Act 1985 to make good any damages to decorations that occur as a consequence of the above work.

Where the work is of such a nature that alternative accommodation is required for the tenant as a temporary measure, this is to be arranged by the landlord.

DOVER DISTRICT COUNCIL

HOUSING ACT 2004
Section 8

Statement of Reasons for Decision to Take Enforcement Action

Details of residential premises: **- Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Dover District Council ("the Authority") hereby give this statement of the reasons for their decision to take enforcement action ("the relevant action") in respect of the above premises under sections 5(2) of the Housing Act 2004 ("the Act") namely: -

The service of an Improvement Notice.

The reasons why the Authority have decided to take the relevant action rather than any other kind (or kinds) of enforcement action under the provisions of sections 5(2) of the Act are as follows: -

The condition of the property was brought to our attention during an inspection of one of the flats within the building.
The authority is satisfied that hazards exist at the above premises and that action should be taken in respect of those hazards.

The deficiencies identified at inspection give rise to two Category 1 Hazard when applying the Housing Health and Safety Rating System (HHSRS).

The Category 1 Hazards covered, Falling on Stairs etc and Fire and Explosions.

These hazards would significantly affect the health and safety of those living at the property, however, works can be reasonably and practically carried out to mitigate the risk. The level of risk was also considered to be high because there are members of the vulnerable group living in the property.

In determining the most appropriate action regard has been given to the following:

The building is a converted block of flats, 4 storeys height, with multiple families in occupation. The building is circa 1900's and in a poor general state of repair, with lots of rubbish accumulations in the garden and items stored in the stairways, there are also issues with compartmentation and protected routes. The building only has one means of escape down a main staircase, and the electrical meters are housed by the front door in a flammable enclosure. None of the flat front doors have fire resisting doors and the travel distance is approx. 20m from the second floor flat. The main staircase from the building has defects which would contribute to the increased scoring of both hazards. In addition to the HHSRS guidance, consideration was also given to other relevant Fire Safety guidance such as the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021 and Fire Safety (England) Regulations 2022.

Views of the person in control/owner
The landlords of the property have engaged with the Authority, however as category 1 hazards exists the Authority has a duty to take formal action.

Views of the occupier
Fire safety is very important, especially in multi occupied blocks of flats, and in converted buildings such as this.

The impact of the condition on the occupier
The hazards within the building could cause significant harm to many occupants.

The enforcement policy of the Council
Formal action is required as Category 1 Hazards have been determined and there is a significant risk to health of any occupier.

The following actions (in bold) were considered before the authority made its decision:

The significant nature of the hazards and the risks they pose to occupiers and visitors to the property would not warrant the service of a **Hazard Awareness Notice**. This is because advising the person responsible of the existence of hazards and not requiring remedial action is not considered appropriate.

It is considered that remedial action can be taken in this case and it is reasonable to require work to be carried out. Therefore, the making of a **Prohibition Order** is not considered appropriate in this case.

The hazards encountered do not pose an imminent risk to the health and safety to occupiers and visitors to the property so the taking of **Emergency Remedial Action** or making an **Emergency Prohibition Order** is not appropriate in this case.

There are no good reasons known to the authority that would warrant considering serving a **Suspended Improvement Notice or Suspended Prohibition Order** for a period of time.

Decision
It is considered that the service of an **Improvement Notice** is the most appropriate action to deal with the significant category 1 hazards identified in the premises within a reasonable and defined period of time.

Dated: 15th July 2026 Signed: [redacted]

Officer: [redacted]

Designation: Housing Improvement Officer
The officer appointed for this purpose

DOVER DISTRICT COUNCIL

[redacted]

Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: **(01304) 821199**
Fax: **(01304) 872217**
DX: **6312**
Minicom: **(01304) 820115**
Website: **www.dover.gov.uk**

Contact: [redacted]
Direct line: [redacted]
E-mail: [redacted]
Our ref:
Your ref: WK/4834
Date: 15th July 2026

Dear [redacted]

Housing Act 2004, Section 11 – Communal Parts, 34 Salisbury Road, Dover, CT16 1EU

I am writing to inform you that an Improvement Notice has been served on the owners, regarding works that need to be carried out to the above-mentioned property. Under the Housing Act 2004 I am required to inform you as somebody with an interest in the property, and give you a copy of the Notice, which is duly enclosed.

Should you require any further information or help in relation to this matter, please contact me at the above address.

Yours sincerely

[redacted]

[redacted]
Housing Improvement Officer

Enc Section 11 Improvement Notice and Section 8 Statement of Reasons

[redacted] WK4834

Dover District Council
White Cliffs Business Park
Dover
Kent CT16 3PJ

Notice	Housing Act 2004 Part 1 - Section 11
	Improvement Notice
To:	[redacted]
Of:	[redacted]
Relating to	Communal Parts, 34 Salisbury Road, Dover, CT16 1EU "The premises"
Hazards	Dover District Council ('the authority') give notice that they are satisfied that there are category 1 hazards that exist at Communal Parts, 34 Salisbury Road, Dover, CT16 1EU, and that no Management Order is in force in relation to the premises under Chapter 1 or 2 of Part 4 of the Housing Act 2004.
Improvement Notice	The authority serves this Improvement Notice and requires you to take the remedial action specified.
Deficiencies	Details of the deficiencies giving rise to the hazards are contained in Schedule 1 and details of the remedial action required are contained in Schedule 2.
Most appropriate course of action	The authority considers the service of this Improvement Notice as the most appropriate course of action for the reasons stated in the attached statement of reasons.
Compliance Date	The compliance dates for this Improvement Notice are contained in schedule 2.
Offence	A person on whom an Improvement Notice is served, commits an offence if he fails to comply with it and is liable to the following actions: - On summary conviction (Prosecution) to a fine, or - A Penalty Charge Notice of up to £30,000 and - A Rent Repayment Order. This requires a landlord to repay the last 12 months rent.
Appeal	The person on whom an Improvement Notice is served may appeal to a Property Chamber of the First Tier Tribunal (PC) against the notice within the period of 21 days beginning with the date on which the Improvement Notice was served.
Alternative Action	If you consider that alternative remedial action will address the hazards identified in the Notice you should contact the investigating officer [redacted] The Authority has the power to vary an Improvement Notice by agreement under Section 16 of the Act.

Copies of this notice will be served on every other person who, to the knowledge of the local authority, is an occupier of the premises or has a relevant interest, that is an interest as freeholder, mortgagee or lessee.

Officer

Signature:

[redacted]

Designation: Senior Housing Improvement Officer
The officer appointed for this purpose

Date: 15th July 2026

Contact address:
Private Sector Housing
White Cliffs Business Park
Dover
Kent CT16 3PJ

Email:
privatesectorhousing@dover.gov.uk

Telephone:
TEL: 01304 872397

Notes

Meaning of "category 1 hazard" and "category 2 hazard"
"Category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount:

"Category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and

"Hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise).

"prescribed" means prescribed by regulations made by the appropriate national authority (see section 261(1)); and
"prescribed band" means a band so prescribed for a category 1 hazard or a category 2 hazard, as the case may be.
"building" includes part of a building;
"harm" includes temporary harm;
"health" includes mental health.

Right of Appeal (under Schedule 1, Part 3 of the Housing Act 2004)
If you do not agree with this notice you may appeal against it to the residential property tribunal, but you must do this within **21** days after this notice is served on you.

Southern Property Tribunal
First-Tier Tribunal (Property Chamber)
Havant Justice Centre
The Court House
Elmleigh Road
Havant,
Portsmouth
Hampshire
PO9 2AL
Tel: 01243 779394
Email: rpsouthern@hmcts.gsi.gov.uk

These notes are intended as general information to the recipient(s) of this as a summary of their rights of appeal against the notice. The notes are not intended to be definitive and any person(s) considering an appeal are advised to seek independent legal advice and/or refer to the full version of Schedule 1 to the Housing Act 2004. Further advice can be obtained from the Residential Property www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber

1. The person on whom this notice is served may appeal to a residential property tribunal against the notice. The person must appeal using a Notice of Appeal which can be obtained from the residential property tribunal. Paragraphs 11 and 12 set out two specific grounds on which an appeal may be made under this paragraph, but they do not affect the generality.

2. An appeal may be made by a person under Schedule 1, Part 3, 10 of the Housing Act 2004 on the ground that one or more other persons, as an owner or owners of the specified premises, ought to take the action concerned, or pay the whole or part of the cost of taking that action.

3. Where the grounds on which an appeal is made under paragraph 10 consist of or include the ground mentioned in 1 you must serve your notice of appeal on the person(s) concerned.

4. An appeal may be made by a person under paragraph 10 on the ground that rather than service of this improvement notice one of the alternative courses of action below is the best course of action in relation to the hazard in respect of which this notice was served:

(a) The making of a prohibition order under section 20 or 21 of the Housing Act 2004;
(b) The service of a hazard awareness notice under section 28 or 29 of the Housing Act 2004; and
I The making of a demolition order under section 265 of the Housing Act 1985 (c.68).

Time limit for appeal

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Powers of the Residential Property Tribunal

1. The appeal will be heard by the residential property tribunal by way of a re-hearing but may be determined having regard to matters of which the authority was unaware.
2. The tribunal may by order confirm, quash or vary the improvement notice.
3. Where the appeal is made on the ground specified in Schedule 1, Part 3, 11 of the Housing Act 2004 the tribunal may;
   - vary the improvement notice so as to require the action to be taken by any owner mentioned in the notice of appeal in accordance with Schedule 1, Part 3, 11 of the Housing Act 2004.

- it may make such order as it considers appropriate with respect to the payment to be made by any such owner to the appellant or, where the action is taken by the local housing authority, to the authority.

4. In the exercise of its powers under 2 above the tribunal must take into account, as between the appellant and any such owner (a) their relative interests in the premises concerned (considering both the nature of the interests and the rights and obligations arising under or by virtue of them); (b) their relative responsibility for the state of the premises which gives rise to the need for the taking of the action concerned; and (c) the relative degree of benefit to be derived from the taking of the action concerned.

5. Where the appeal is made on the ground specified in paragraph 12(2) the tribunal when deciding whether one of the courses of action mentioned is the best course of action in relation to a particular hazard, must have regard to any guidance given to the local housing authority under section 9 of the Housing Act 2004. If the tribunal finds that an alternative course of action was the best course of action it must, if requested by the appellant or the Council, identify that course of action.

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(a) if the period within which an appeal to the Lands Tribunal may be brought expires without such an appeal having been brought, "the operative time" is the end of that period;

(b) if an appeal to the Lands Tribunal is brought, "the operative time" is the time when a decision is given on the appeal which confirms the notice.

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2. If during the period in which the works are to be carried out the Council think that reasonable progress is not being made, they may, after giving notice in writing of their intention to do so, do the work themselves and charge you with the cost.
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- The stairs within the building are lacking a handrail which extends the entire flight of the stairs. Handrails improve balance and can arrest a fall if one begins.

Fire and Explosions

This hazard covers threat to health from exposure to uncontrolled fire and associated smoke and fumes at a dwelling. It also covers the threat from the blast of an explosion and flying debris generated by an explosion. The hazard covers the partial or total collapse of a structure as a result of a fire or explosion. The hazard covers exposure to heat and hot gasses from uncontrolled combustion.

The deficiencies giving rise to the hazard are:

- None of the flat front doors in the building are fire resisting, they do not have intumescent strips or smoke seals, do not have self-closers and all contain a mortice lock which requires the use of a key, and allows the spread of smoke and fumes. As the doors open onto the only escape route, it is important that they can resist smoke and fire for a minimum of 30 minutes to allow occupants time to leave safely; being overcome by smoke and fumes is the most common cause of death from fire related fatalities.

- The electricity meter cupboard does not have an appropriate fire resisting enclosure and is situated by the final exit door of the building. As electrical distribution failures are one of the leading causes of accidental fires, these need to be enclosed in

appropriate fire resisting enclosures to prevent the spread of smoke and fire, and in this case, provide for a protected means of escape route from the building.

- There are holes in the floor and ceiling of the meter cupboard around the cabling which allows for the spread of smoke and fire to upper and lower floors. The building construction and condition should limit the spread of smoke and fire as much as possible.

SCHEDULE 2

Schedule of Remedial Action

Premises: **Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

All work and materials in this schedule should be completed in accordance with good building practice. The schedule and/or notice is not a permission under Building Regulations or Planning Legislation to undertake the works. All recipients must ensure that where the works require permission under the above legislation, that permission is sought of the Planning Officer, Building Control Officer or Conservation Officer.

Category 1 Hazards

Falling on Stairs etc

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. Ensure the stair floor covering is in a good state of repair and replace if necessary, securely and safely anchor any areas of loose carpet.

2. Install a handrail on all flights of stairs within the dwelling, situated between 900mm and 1000mm high, measured from the pitch line to the top of the handrail. The handrail shall be firmly fastened, capable of being easily grasped and capable of supporting a significant load.

Fire

The date by which the remedial action is to commence is 19th August 2026 and the period which the remedial action is to be completed by the 30th March 2027

1. All flat front doors should be rated for 30 minutes of fire resistance, there should be no gaps between the doors or frames larger than 4mm, intumescent strips and smoke seals should be fitted to all doors, be unbroken and unpainted. All doors should have self-closers, all door furniture and ironmongery should be CE or UKCA marked and

match the doors fire rating, thumb turn locks should be provided to flat front doors and the final exit door to prevent delays in escape. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire door survey of all of the doors within the building and undertake any repairs, remedial works or installations as required by the survey.*

2. The walls, floors, ceilings and door within the electricity meter cupboard should be enclosed to provide 60 minutes fire resistance, using appropriately rated products. *Ideally you should have a qualified, competent assessor undertake a suitable and sufficient fire risk assessment of the building and undertake any repairs, remedial works or installations as required by the survey.*
3. Undertake remedial works as specified in the falling on stair hazard points 1 & 2.

Advisory Notes

Private Sector Housing must be informed of the start date of the works. (by email)

At the conclusion of works, remove all surplus materials and rubbish from site and leave the premises in a clean and tidy condition.

All works must be in accordance with current Building Regulations and Planning Regulations.

Make good all disturbed works including internal decorations.

A competent electrician must carry out reinstatement of electrical goods with appropriate certification on completion.

Provide, erect and dismantle upon completion all scaffolding and temporary support as necessary for the proper execution of works.

If in the course of the work the smoke and fire resisting capabilities of structural elements are compromised, then the appropriate work must be carried out to re-establish their integrity.

Work in Occupied Property

Your attention is drawn to the problems of working in occupied property.

Allowance must be made to maintain services and security. Due regard must be given to the tenant's welfare.

Proper advance notification of works is to be given to the tenants and all necessary aid given for moving furniture and fittings, protecting possessions, providing alternative services and temporary rehousing as appropriate.

You are reminded of your obligation under section 11 of the Landlord and Tenant Act 1985 to make good any damages to decorations that occur as a consequence of the above work.

Where the work is of such a nature that alternative accommodation is required for the tenant as a temporary measure, this is to be arranged by the landlord.

[redacted] WK4834

DOVER DISTRICT COUNCIL

HOUSING ACT 2004
Section 8

Statement of Reasons for Decision to Take Enforcement Action

Details of residential premises: **- Communal Parts, 34 Salisbury Road, Dover, CT16 1EU**

Dover District Council ("the Authority") hereby give this statement of the reasons for their decision to take enforcement action ("the relevant action") in respect of the above premises under sections 5(2) of the Housing Act 2004 ("the Act") namely: -

The service of an Improvement Notice.

The reasons why the Authority have decided to take the relevant action rather than any other kind (or kinds) of enforcement action under the provisions of sections 5(2) of the Act are as follows: -

The condition of the property was brought to our attention during an inspection of one of the flats within the building.
The authority is satisfied that hazards exist at the above premises and that action should be taken in respect of those hazards.

The deficiencies identified at inspection give rise to two Category 1 Hazard when applying the Housing Health and Safety Rating System (HHSRS).

The Category 1 Hazards covered, Falling on Stairs etc and Fire and Explosions.

These hazards would significantly affect the health and safety of those living at the property, however, works can be reasonably and practically carried out to mitigate the risk. The level of risk was also considered to be high because there are members of the vulnerable group living in the property.

In determining the most appropriate action regard has been given to the following:

The building is a converted block of flats, 4 storeys height, with multiple families in occupation. The building is circa 1900's and in a poor general state of repair, with lots of rubbish accumulations in the garden and items stored in the stairways, there are also issues with compartmentation and protected routes. The building only has one means of escape down a main staircase, and the electrical meters are housed by the front door in a flammable enclosure. None of the flat front doors have fire resisting doors and the travel distance is approx. 20m from the second floor flat. The main staircase from the building has defects which would contribute to the increased scoring of both hazards. In addition to the HHSRS guidance, consideration was also given to other relevant Fire Safety guidance such as the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021 and Fire Safety (England) Regulations 2022.

Views of the person in control/owner
The landlords of the property have engaged with the Authority, however as category 1 hazards exists the Authority has a duty to take formal action.

Views of the occupier
Fire safety is very important, especially in multi occupied blocks of flats, and in converted buildings such as this.

The impact of the condition on the occupier
The hazards within the building could cause significant harm to many occupants.

The enforcement policy of the Council
Formal action is required as Category 1 Hazards have been determined and there is a significant risk to health of any occupier.

The following actions (in bold) were considered before the authority made its decision:

The significant nature of the hazards and the risks they pose to occupiers and visitors to the property would not warrant the service of a **Hazard Awareness Notice**. This is because advising the person responsible of the existence of hazards and not requiring remedial action is not considered appropriate.

It is considered that remedial action can be taken in this case and it is reasonable to require work to be carried out. Therefore, the making of a **Prohibition Order** is not considered appropriate in this case.

The hazards encountered do not pose an imminent risk to the health and safety to occupiers and visitors to the property so the taking of **Emergency Remedial Action** or making an **Emergency Prohibition Order** is not appropriate in this case.

There are no good reasons known to the authority that would warrant considering serving a **Suspended Improvement Notice or Suspended Prohibition Order** for a period of time.

Decision
It is considered that the service of an **Improvement Notice** is the most appropriate action to deal with the significant category 1 hazards identified in the premises within a reasonable and defined period of time.

Dated: 15th July 2026 Signed:...



Officer: [redacted]

Designation: Housing Improvement Officer
The officer appointed for this purpose