Statutory Nuisance Law and Residential Property

9.00  Registration

9.30  Legal aspects of statutory nuisance
- private nuisance
- background to statutory nuisance law
- public health nuisances: smells, animals, accumulations and deposits
- premises nuisances under EPA 1990
- issues concerning the two limbs of statutory nuisance
- noise nuisance
- reasonability test
- anti-social behaviour legislation and statutory nuisance
- use of injunctions & community protection notices

10.50 Refreshment break

11.05 Small Group Session: Residential noise scenario

11.40 Procedural and practice issues
- approaches to statutory duties and best practice
- standards of investigation and competence of officers
- works in default, costs recovery
- expert evidence

12.10 Resolving problems with residential property: Housing Act 2004
- Homes (Fitness for Human Habitation Act) 2018
- fitness standards
- outline of powers, duties of local authorities under Housing Act
- noise complaints and HHSRS
- update on Residential Property Tribunal decisions
- when to use Housing Act and when to use statutory nuisance provisions
- verminous premises under Public Health Act 1936
- mobile homes
- artificial light

1.00  Lunch

1.45  Resolving problems with residential property, continued

2.20  Case Study: State of premises nuisance and HHSRS defects
Small group session putting into practice lessons learned from the morning sessions
3.00 Short comfort break
3.15 Feedback on Case Study
4.15 Q&A/final comments/feedback
4.30 Close