STATUTORY INSTRUMENTS

1990 No. 388

HOUSING, ENGLAND AND WALES

The Assistance for Minor Works to Dwellings Regulations 1990

Made - - - -	*27th February 1990*
Laid before Parliament	*8th March 1990*
Coming into force	*1st April 1990*

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 131(3) and 137(2) of the Local Government and Housing Act 1989(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:–

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Assistance for Minor Works to Dwellings Regulations 1990 and shall come into force on 1st April 1990.

(2) In these Regulations –

"the Act" means the Local Government and Housing Act 1989, and

"assistance" means assistance (whether in the form of a grant or the provision of materials) under section 131 of the Act.

Applications for assistance

2. An application for assistance shall be in writing and shall contain the following:–

(a) the name and address of the person applying for assistance,

(b) the address of the dwelling to which it relates,

(c) a description of the works stating for which one or more of the purposes specified in regulation 3(1) below they are to be carried out,

(d) the name and address of the person who will carry out the works,

(e) an estimate of the cost of the works and, if the works are to be carried out by the applicant, of the cost of the materials to be used in carrying them out,

(f) confirmation that the works are not, so far as the applicant is aware, the subject of or included in any other application for assistance or for grant under Part VIII of the Act,

(g) details of the amount or value of any assistance given in the period of three years preceding the date of the application in respect of the dwelling,

(h) a statement as to which of the conditions in regulation 4 below are satisfied, and

(i) the signature of the applicant.

(a) 1989 c. 42.

Dwellings and Works

3.—(1) Assistance shall be given only in respect of works which are described in the application and which are to achieve one or more of the following purposes, and shall be given only in respect of the description of dwelling specified as respects that purpose –

(a) the provision or improvement of thermal insulation in any dwelling, or

(b) the repair of a dwelling which, at the time of the application, is included in a clearance area, within the meaning of section 289 of the Housing Act 1985(**a**), or

(c) the repair of a dwelling which the authority to which the application is made intend to include in such a clearance area within the period of twelve months beginning at the date of the application, or

(d) the repair, improvement or adaptation of any dwelling, or

(e) the adaptation of any dwelling to enable a person who is 60 years of age or over who is not an owner or tenant of the dwelling but is or proposes to be resident in the dwelling to be cared for.

(2) No assistance shall be given in respect of works which are the subject of or are included in any other application for assistance or for grant under Part VIII of the Act.

Persons to whom assistance may be given

4.—(1) Assistance may only be given to an applicant who satisfies the following conditions –

(a) he is wholly or mainly resident in the dwelling, and

(b) he has an owner's interest in the dwelling or is a tenant of the dwelling (alone or jointly with others), and

(c) either he, or his spouse, or the person with whom he lives as husband and wife, is in receipt of income support, family credit, housing benefit or community charge benefit (within the meaning of section 20 of the Social Security Act 1986(**b**)), and

(d) if the works are for the purpose specified in regulation 3(1)(d) above, he is 60 years of age or more.

(2) In this regulation "tenant" does not include a tenant of an authority or body mentioned in section 101(3) of the Act.

Dealing with applications

5.—(1) As soon as practicable after receipt of an application, the local housing authority shall inform the applicant as to whether or not they propose to give assistance.

(2) If the authority propose to give assistance, they shall indicate the nature and value of any materials they intend to provide and the likely amount of any grant (having regard to regulation 6 below) they intend to make.

(3) If the authority do not intend to provide any assistance they shall inform the applicant of their reasons for not doing so.

(4) The authority shall carry out such inspections of the works or obtain such certificates from the person carrying them out as are necessary to ensure that they are carried out to a reasonable standard.

Amount of assistance

6.—(1) The total amount or value of the assistance given on any one application, for the purposes of paragraph (a) of section 131(2) of the Act, shall be determined, and the amount of assistance to be given on an application shall be calculated, in accordance with the following provisions of this regulation.

(**a**) 1985 c.68. (**b**) 1986 c.50; section 20 was amended by paragraph 2 of Schedule 10 to the Local Government Finance Act 1988 (c.41).

(2) If the assistance is wholly or partly in the form of the provision of materials, the total value of those materials shall not exceed the sum of £1,000.

(3) If the assistance is wholly or partly in the form of a grant, the total amount of assistance given in that form shall be the lesser of the following two sums:–

(a) a sum equal to 100% of the cost shown to the authority to have been reasonably incurred by the applicant in respect of the works, and

(b) the sum calculated by deducting the value of any materials provided from £1,000.

Chris Patten
27th February 1990 Secretary of State for the Environment

Peter Walker
27th February 1990 Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations deal with the giving of assistance under section 131 of the Local Government and Housing Act 1989, for the provision of minor works to dwellings. Assistance may be in the form of either a grant or the provision of materials.

2. The manner in which an application for assistance is to be made and the content of such an application are specified in regulation 2. Regulation 3 specifies the description of dwellings and works in respect of which assistance may be given, and regulation 4 the persons to whom assistance may be given. The procedure for dealing with applications and for ensuring that the works are carried out to a reasonable standard are specified in regulation 5.

3. Regulation 6 prescribes the total amount or value of the assistance which may be given on any one application, and the way in which the amount of assistance by way of grant is to be calculated.