STATUTORY INSTRUMENTS

1982 No. 1205

HOUSING, ENGLAND AND WALES

The Grants by Local Authorities (Repairs) Order 1982

Made - - - - -	20*th August* 1982
Laid before Parliament	7*th September* 1982
Coming into Operation	29*th September* 1982

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 63(2), 71(2)(*b*), (3A) and (3B) and 128 of the Housing Act 1974**(a)** and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Grants by Local Authorities (Repairs) Order 1982 and shall come into operation on 29th September 1982.

(2) In this order "the Act" means the Housing Act 1974.

Repairs element of improvement grant

2. For the purposes of section 63(2) of the Act, 70 per cent. is hereby prescribed as the percentage of the estimated expense allowable for works of repair and replacement where the dwelling is, or is to be provided by the conversion of a dwelling which is, in need of works of repair of a substantial and structural character.

Requirements for repairs grant

3. The requirements prescribed for the purposes of section 71(2)(*b*) of the Act are that the relevant works shall consist of the replacement of the whole or part of a pipe which is made of lead and which connects, or forms part of a pipe which connects, the tap in the dwelling mainly used for supplying drinking water directly or indirectly to the main, by such a pipe not made of lead.

(a) 1974 c.44; section 71(2)(*b*), (3A) and (3B) was inserted by section 107 of and paragraph 12 of Schedule 12 to the Housing Act 1980 (c. 51) and section 128 was amended by section 152(1) of and paragraph 30 of Schedule 25 to that Act.

Meaning of old dwelling

4. For the purposes of section 71(3A)(*a*) of the Act, the expression "old dwelling" means a dwelling which is, or forms part of, a building which was erected before:—

(*a*) 3rd October 1961, if the relevant works satisfy the requirements prescribed by article 3 above; or

(*b*) 1st January 1919, in any other case.

Rateable value limits for repairs grants

5. For the purposes of section 71(3A)(*b*) of the Act the following rateable value limits are hereby specified:—

(*a*) in relation to dwellings in Greater London, £400;

and

(*b*) in relation to dwellings elsewhere, £225.

Revocation of previous order

6. The Grants by Local Authorities (Repairs) Order 1980**(a)** is hereby revoked.

Michael R. D. Heseltine,
Secretary of State
for the Environment.

11th August 1982.

Signed by authority of
the Secretary of State
16th August 1982.

Michael Roberts,
Parliamentary Under Secretary of State,
Welsh Office.

We consent,

Alastair Goodlad,
John Selwyn Gummer,
Two of the Lords Commissioners
of Her Majesty's Treasury.

20th August 1982.

(a) S.I. 1980/1737.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order replaces the Grants by Local Authorities (Repairs) Order 1980 which is revoked and which contained all the provisions referred to below apart from those relating to lead pipes.

Under section 63 of the Housing Act 1974, not more than 50 per cent. of the estimated expense of the works to be carried out with the assistance of an improvement grant may consist of expenditure on works of repair and replacement. By article 2 of this order, 70 per cent. (instead of 50 per cent.) is prescribed where the application relates to a dwelling in need of works of repair of a substantial and structural character.

Repair grants under section 71 and 72 of the Housing Act 1974 (as amended by section 107 of and Schedule 12 to the Housing Act 1980) are available only for works which are of a substantial and structural character or for works which satisfy requirements prescribed by order. Article 3 of this order enables repairs grants to be made for the replacement of lead water pipes.

Repairs grants are also only available in respect of "old dwellings" within any meaning given to that expression by an order made by the Secretary of State. Article 4 of this order defines the expression for the purposes of section 71(3A) of the Act for cases where the works consist of the replacement of lead pipes, and for all other cases.

Except in housing action areas, repairs grants are available to owner-occupiers only for dwellings within limits of rateable value specified by order. Limits of £400 in Greater London and £225 elsewhere are specified by article 5.

SI 1982/1205
ISBN 0-11-027205-6

