STATUTORY INSTRUMENTS

1988 No. 1475

HOUSING, ENGLAND AND WALES

The Grants by Local Housing Authorities (Appropriate Percentage and Exchequer Contributions) (No. 2) Order 1988

Made - - - -	*22nd August 1988*
Coming into force	*1st September 1988*

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 upon them by sections 509(1) and (2) and 517(1) and (2) of the Housing Act 1985(a), and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Order, a draft of which has been laid before, and has been approved by resolution of, the House of Commons:

Citation, commencement and application

1.—(1) This Order may be cited as the Grants by Local Housing Authorities (Appropriate Percentage and Exchequer Contributions) (No. 2) Order 1988, and shall come into force on 1st September 1988.

(2) This Order applies to applications for improvement, intermediate, special and repairs grants made after 1st September 1988.

Appropriate percentage for improvement grants

2.—(1) Subject to paragraph (3), in relation to an application for an improvement grant where one or more of the following conditions are satisfied:–

(a) on the date on which the application is approved the premises in respect of which it is made are in a housing action area;

(b) the application is in respect of a dwelling which is or forms part of, or is to be provided by the conversion of, a house in relation to which the local housing authority have served a notice under section 189 or 264 of the Housing Act 1985 and the relevant works consist of or include works which if executed would contribute towards rendering the house fit for human habitation;

(c) the application is in respect of a dwelling which 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, and the relevant works consist of or include such works;

(d) the application is in respect of the provision or improvement of a dwelling for a disabled occupant and the relevant works consist of or include works needed to meet a requirement arising from a particular disability from which he suffers,

the appropriate percentage is 75 per cent.

(a) 1985 c.68.

(2) Subject to paragraph (3), in relation to an application for an improvement grant to which paragraph (1) does not apply, the appropriate percentage is 50 per cent. or, where the premises in respect of which the application is made are in a general improvement area, 65 per cent.

(3) In relation to an application for an improvement grant, where it appears to the local housing authority that the applicant would not without undue hardship be able to finance so much of the cost of the relevant works as is not met by the grant–

(a) if apart from this paragraph the appropriate percentage would be 75 per cent., it shall instead be 90 per cent.; and

(b) if apart from this paragraph the appropriate percentage would be 50 per cent., it shall instead be 65 per cent.

Appropriate percentage for intermediate or repairs grants

3.—(1) Subject to paragraph (2), the appropriate percentage in relation to an application for intermediate or repairs grant is 75 per cent.

(2) In relation to an application for intermediate or repairs grant, where it appears to the local housing authority that the applicant would not without undue hardship be able to finance so much of the cost of the relevant works as is not met by the grant, the appropriate percentage shall be 90 per cent.

Appropriate percentage for special grants

4.—(1) Subject to paragraph (3), in relation to an application for special grant in respect of a house in multiple occupation in relation to which the local housing authority have served a notice under section 352 or 366 of the Housing Act 1985, where the relevant works consist of works specified in that notice and which relate to the provision of standard amenities or the provision of means of escape from fire, the appropriate percentage is 20 per cent.

(2) Subject to paragraph (3), in relation to an application for special grant to which paragraph (1) does not apply, the appropriate percentage shall be 75 per cent., unless it appears to the local housing authority that the amenities provided exceed the provision that they consider to be necessary to make the house in multiple occupation reasonably suitable for occupation by the number of individuals or households for the time being occupying it, and the works do not include means of escape from fire, in which case the appropriate percentage shall be–

(a) 65 per cent., where the premises in respect of which the application is made are in a general improvement area, or

(b) 50 per cent., in any other case.

(3) In relation to an application for special grant, where it appears to the local housing authority that the applicant would not without undue hardship be able to finance so much of the cost of the relevant works as is not met by the grant–

(a) if apart from this paragraph the appropriate percentage would be 75 per cent. or 20 per cent., it shall instead be 90 per cent., and

(b) if apart from this paragraph the appropriate percentage would be 50 per cent., it shall instead be 65 per cent.

Contributions by the Secretary of State

5. With respect to applications for improvement, intermediate, special and repairs grant approved after 1st September 1988, the percentages specified in subsection (3) of section 516 of the Housing Act 1985 are varied in the following description of cases:–

(a) in paragraph (a), by the substitution of 75 per cent. in respect of cases in which in accordance with article 2 or 4 of this Order the appropriate percentage is 65 per cent.;

(b) in paragraph (b), by the substitution of 90 per cent. in respect of cases in which in accordance with article 2, 3 or 4 of this Order the appropriate percentage is 75 per cent. or 90 per cent.

Nicholas Ridley
1st August 1988 Secretary of State for the Environment

Signed by authority of
the Secretary of State

Ian Grist
Parliamentary Under Secretary of State,
1st August 1988 Welsh Office

We consent,

Michael Neubert
Tony Durant
22nd August 1988 Two of the Lords Commissioners of Her Majesty's Treasury

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EXPLANATORY NOTE

(This note is not part of the Order)

Grants for the improvement, repair or conversion of a dwelling or of a house in multiple occupation are made under Part XV of the Housing Act 1985 ("the 1985 Act"). The amount, or in some cases the maximum amount, of the grant is the appropriate percentage of the estimated expense which is eligible to be taken into account. Section 509 of the 1985 Act provides for this percentage to be prescribed by Order made by the Secretary of State.

The Order prescribes such percentages for improvement, intermediate, special or repairs grant (articles 2 to 4). It applies where an application for grant is made after 1st September 1988.

Article 5 of the Order together with section 516 of the 1985 Act specifies the percentage the Secretary of State may contribute towards expenses incurred by a local housing authority in making grants for which a percentage is prescribed by articles 2 to 4.

Orders still in force which apply where application for improvement, intermediate, special or repairs grant was made before 1st September 1988 are S.I. 1982/581, 1763 and 1987/1379.