

Housing Act 1971

1971 CHAPTER 76

An Act to increase the amount of financial assistance available under Parts I and II of the Housing Act 1969, and under certain provisions of the Housing (Financial Provisions) (Scotland) Act 1968 and of the Housing (Scotland) Act 1969, as respects expenditure incurred in local government areas wholly or partly within development areas, or intermediate areas under section 1 of the Local Employment Act 1970.

[5th August 1971]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Housing improvement in development areas and intermediate areas.
1969 c. 33.
1968 c. 31.
1969 c. 34.

1.—(1) This Act shall apply to works eligible for financial assistance under the provisions of the Housing Act 1969 and of the Housing (Financial Provisions) (Scotland) Act 1968 and the Housing (Scotland) Act 1969 mentioned in this Act, if they are carried out in a local government area which on 23rd June 1971 (in this Act called " the relevant date ") is wholly or partly within a development area or an intermediate area, and—

(*a*) the works have not been begun before the relevant date, and

(*b*) the works are completed before the expiration of a period of two years beginning with the relevant date.

(2) If, in a case where, after the relevant date, but within the period of two years beginning with that date, a local government area comes wholly or partly within a development area or an intermediate area, the Secretary of State by order in a statutory instrument so directs, this Act shall apply to works eligible for

1969 c. 33. 1968 c. 31. 1969 c. 34. financial assistance under the provisions of the Housing Act 1969 and of the Housing (Financial Provisions) (Scotland) Act 1968 and the Housing (Scotland) Act 1969 mentioned in this Act, if they are carried out in that local government area and—

(*a*) the application for financial assistance is duly made on or after the date when the order comes into force, and

(*b*) the works are completed before the expiration of the said period of two years.

(3) Subsections (1) and (2) above apply whether or not the local government area is wholly or partly within a development area or an intermediate area when the works are completed.

(4) In this Act—

"development area" means an area for the time being specified as a development area under section 15(2) of the Industrial Development Act 1966, and includes any such locality outside that area as is specified in section 15(6) of that Act,

1966 c. 34.

"intermediate area" means a locality for the time being specified under section 1 of the Local Employment Act 1970 as an intermediate area or treated, by virtue of subsection (5) of that section, as included in an intermediate area,

1970 c. 7.

"local government area" means a borough, urban district or rural district, and in Scotland means the district of a local authority.

Increase in financial assistance.

2.—(1) Where this Act applies, Part I of the Housing Act 1969 shall have effect as if, in the enactments specified in column 1 of the following Table, for the words or figures in column 2 of that Table there were substituted the words or figures in column 3 of that Table.

TABLE

Enactment	*Existing words or figures*	*Words or figures to be substituted*
1	2	3
Section 5(1)(*a*) (Limit on improvement grant).	One half.	"75 per cent."
Section 6(2) (Limit on amount of improvement grant payable in advance).	One half.	"75 per cent."
Section 11(1) (Standard grant to be one half of cost of works).	One half.	"75 per cent."

Section 15(1) (Special grant to be one half of cost of works).	One half.	" 75 per cent."
Section 16(2) (Contribution by Secretary of State to local authority grants).	Three quarters.	" 90 per cent." (except as provided at the end of this Table).
Sections 18(2) and 19(3) (Improvement contributions and standard contributions by Secretary of State: allowable cost to be one half of cost).	One half.	" 100 per cent."
Section 21(4) (Contributions by Secretary of State to housing associations).	One half.	" 100 per cent."

The substitution by this Table in section 16(2) of the Housing Act 1969 for three quarters of 90 per cent. shall not apply where the local authority grant is an improvement grant which is less than three quarters of the approved expense. 1969 c. 33.

(2) Where this Act applies, so much of section 5(1) of the Housing Act 1969 as requires the local authority to fix the amount of an improvement grant at the time when they approve the application for the grant shall not apply, and the amount fixed at that time may be varied by the local authority, subject to the provisions of the said Act, at any subsequent time.

(3) Where this Act applies, the following limits, which are to be determined by reference to the provisions of Schedule 1 to the Housing Act 1969 (standard amenities), shall be increased as follows—

(*a*) the amount of the limit so determined under section 11(3) or section 15(3) of the said Act shall (corresponding to the substitution for one half of 75 per cent. by the Table above) be multiplied by one and a half,

(*b*) the amount so determined under section 19(5) of the said Act shall (corresponding to the substitution for one half of 100 per cent. by the Table above) be multiplied by two.

(4) Where this Act applies, section 37 of the Housing Act 1969 (general improvement areas: contributions by Secretary of State to local authority expenditure) shall have effect as if in subsection (3) of that section for " one half " there were substituted " 75 per cent.".

So far as expenditure eligible for assistance under the said section 37 consists of expenditure on providing land, this Act shall apply as if the expenditure were expenditure on works so eligible carried out on the land and begun and completed at the time when the expenditure was incurred, and as if the application for financial assistance had been made at that time.

(5) An order made under section 22 of the Housing Act 1969 (power to vary contributions made by the Secretary of State under Part I of that Act) may be an order making provision for expenditure to which this Act applies which is different to the provision made for other expenditure.

Increase in financial assistance in Scotland. 1968 c. 31.

3.—(1) Where this Act applies, Parts I and II of the Housing (Financial Provisions) (Scotland) Act 1968 shall have effect, as if in the enactments specified in column 1 of the following Table for the words or figures in column 2 of that Table there were substituted the words or figures in column 3 of that Table.

TABLE

Enactment	*Existing words or figures*	*Words or figures to be substituted*	
1	2	3	
S. 14(1) (Amount of Exchequer contributions).	Three-eighths.	" 75 per cent."	
S. 29(1)(*c*), provisos (i) and (ii) thereto, and subsection (3) (Amount of improvement grants).	One-half.	" 75 per cent."	
S. 35(2) and (4).	Three-quarters.	" 90 per cent."	except as provided at the end of this Table.
S. 35(5) (Exchequer contributions towards improvement grants).	" Three-quarters ".	" 90 per cent."	
	" Seven-eighths ".	" 92·5 per cent."	
S. 42(1).	One-half.	" 75 per cent."	
S. 42(3) (Amount of Standard Grants).	£450.	" £675 ".	

The substitutions by this Table in section 35 of the Housing (Financial Provisions) (Scotland) Act 1968 shall not apply where the local authority grant is an improvement grant which is less than three-quarters of the approved expense.

(2) Where this Act applies, so much of section 29(1) and of section 42(3) of the said Act of 1968 as requires the local authority to fix the amount of an improvement grant or a standard grant at the time when they approve the application for the grant shall not apply, and the amount fixed at that time may be varied by the local authority, subject to the provisions of the said Act, at any subsequent time.

(3) Where this Act applies, the limits in the Table (List of Amenities) appended to subsection (3) of section 42 of the said Act of 1968, shall (corresponding to the substitution for one-half of 75 per cent. by the Table above) be multiplied by one and a half.

(4) Where this Act applies, section 59 of the Housing (Scotland) Act 1969 (Exchequer contributions to a local authority towards improvement of amenities) shall have effect as if in subsection (3) of that section for "one-half" there were substituted "75 per cent." 1969 c. 34.

So far as expenditure eligible for assistance under the said section 59 consists of expenditure on providing land, this Act shall apply as if the expenditure were expenditure on works so eligible carried out on the land and begun and completed at a time when the expenditure was incurred, and as if the application for financial assistance had been made at that time.

(5) (*a*) An order made under subsection (3) or (4) of section 14, of the said Act of 1968 (power of the Secretary of State to vary or reduce the maximum amounts of exchequer contributions under sections 14, 16 and 17 of that Act);

(*b*) a regulation made for the purposes of section 29(1)(*bb*) of that Act (power of Secretary of State to vary the amount of improvement grants);

(*c*) an order under section 42(7) of the said Act (power of Secretary of State to vary provisions relating to standard grants); or

(*d*) an order made under section 56 of that Act (power of Secretary of State to reduce exchequer contributions under section 35 of that Act);

may be a regulation or order making provision for expenditure to which this Act applies which is different to the provision made for other expenditure.

Financial provisions.

4.—(1) Any expenses of the Secretary of State which are attributable to the provisions of this Act shall be defrayed out of money provided by Parliament.

(2) There shall be paid into the Consolidated Fund any sums which, in consequence of the provisions of this Act, are to be so paid under any other Act.

Citation and extent.

5.—(1) This Act may be cited as the Housing Act 1971.

(2) The Housing Acts 1957 to 1969 and this Act may be cited together as the Housing Acts 1957 to 1971.

(3) The Housing (Scotland) Acts 1966 to 1969 and this Act may be cited together as the Housing (Scotland) Acts 1966 to 1971.

(4) This Act does not extend to Northern Ireland.