EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Harbours, Docks and Piers (Additional Charges) Regulations, 1950, as amended by the Harbours, Docks and Piers (Additional Charges) (Amendment) Regulations, 1951, the Harbours, Docks and Piers (Additional Charges) (Amendment) (No. 2) Regulations, 1951, the Harbours, Docks and Piers (Additional Charges) (Amendment) Regulations, 1952, the Harbours, Docks and Piers (Additional Charges) (Amendment) Regulations, 1954, and the Harbours, Docks and Piers (Additional Charges) (Amendment) Regulations, 1955, and authorise the British Transport Commission to make further additional charges for their services and facilities in connection with harbours, docks and piers equal in amount to about 5 per cent. of the charges for the time being in operation.

HOUSING, ENGLAND

1956 No. 1198

The Housing (Form of Orders and Notices) (Amendment) Regulations, 1956

Made - - - -	*2nd August,* 1956
Laid before Parliament	*9th August,* 1956
Coming into Operation	*10th August,* 1956

The Minister of Housing and Local Government, in exercise of his powers under section 176 of the Housing Act, 1936(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

1.—(1) These regulations may be cited as the Housing (Form of Orders and Notices) (Amendment) Regulations, 1956, and shall come into operation on the tenth day of August, 1956.

(2) The Housing (Form of Orders and Notices) Regulations, 1937 to 1954, and these regulations may be cited together as the Housing (Form of Orders and Notices) Regulations, 1937 to 1956.

2.—(1) In these regulations, " the principal regulations " means the Housing Act (Form of Orders and Notices) Regulations, 1937(**b**), as amended by the Housing Act (Form of Orders and Notices) Amendment Regulations, 1939(**c**), the Housing Acts, 1936-1949 (Form of Orders and Notices) (Amendment) Regulations, 1950(**d**), and the Housing (Forms of Orders and Notices) (Amendment) Regulations, 1954(**e**).

(2) The Interpretation Act, 1889(**f**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The schedule to the principal regulations shall be amended in the manner provided by the following provisions of these regulations.

(**a**) 26 Geo. 5 & 1 Edw. 8. c. 51. (**b**) S.R. & O. 1937/78 (Rev. X, p. 38: 1937, p. 880).
(**c**) S.R. & O. 1939/30 (Rev. X, p. 38: 1939 II, p. 1719). (**d**) S.I. 1950/363 (1950 I, p. 985).
(**e**) S.I. 1954/1632 (1954 I, p. 950). (**f**) 52 & 53 Vict. c. 63.

4. In Forms Nos. 5 and 5A in the schedule to the principal regulations the following paragraphs shall be added to the Notes thereto—

"Compensation is payable under section 1 or 2 of the Slum Clearance (Compensation) Act, 1956, to owner-occupiers or occupiers for business purposes of houses which are vacated in pursuance of demolition orders, if certain conditions are fulfilled.

The conditions affecting owner-occupiers of houses are broadly as follows:—

(*a*) the house must have been wholly or partly owner-occupied as a private dwelling on 13th December, 1955 (a member of the armed forces who had within a year before that date been in owner-occupation but was not in occupation on that date because he had been posted elsewhere is treated as having been in occupation on that date; and a person who changed his place of employment or occupation is treated similarly); and

(*b*) the house must have been purchased for owner-occupation between 1st September, 1939 and 13th December, 1955, and the owner must not have parted with his interest in the house before it was vacated.

The condition affecting occupiers of a house or part of a house occupied for business purposes is broadly that the house must have been occupied wholly or partly for the purposes of a business by a person entitled to a freehold interest in the house or an interest for a term of more than one year both on 13th December, 1955, and at the date of the making of the order.

The compensation payable is the full compulsory purchase value of the interest of the owner or business occupier. From this is deducted the value of his interest in the site since he retains this value in his hands after the demolition of the house. The full compulsory purchase value is based on the market value of the interest for its existing use. Compensation under section 1 of the Act of 1956 is not payable in respect of any part of the house occupied at the date of the making of the order for any purposes other than those of a private dwelling (e.g. occupied for the purposes of a business), but compensation may be payable for this part of the house under section 2 in respect of the business occupation.

Any person who thinks that he is entitled to this compensation should at once get into touch with the clerk of the local authority, who will inform him of the procedure for the examination of his claim.

If any person interested in a house subject to a demolition order is not entitled to compensation in respect of his interest under section 1 or 2 of the Act of 1956, but thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may, within three months after the service of the order on him, make a representation to the local authority accordingly. Unless the local authority notify him that they do not consider that the house has been well maintained, he will, on the vacation of the house, receive a payment from them in accordance with section 42 of the Housing Act, 1936, as amended by any order of the Minister made under the Act of 1956. If the local authority gave him notice that no payment falls to be made to him, he can appeal to the County Court under section 15 of the Housing Act, 1936, unless he agrees with the local authority to submit the matter to arbitration. A form of representation may be obtained at the Council offices."

5. In Forms Nos. 5B and 5C in the schedule to the principal regulations the following paragraphs shall be added to the Notes thereto—

"Further compensation may, however, be payable under section 1 or 2 of the Slum Clearance (Compensation) Act, 1956, which provides for payments to owner-occupiers or occupiers for business purposes of houses which are purchased compulsorily at site value, if certain conditions are fulfilled.

The conditions affecting owner-occupiers of houses are broadly as follows:—

(*a*) the house must have been wholly or partly owner-occupied as a private dwelling on 13th December, 1955 (a member of the armed forces who had within a year before that date been in owner-occupation but was not in occupation on that date because he had been posted elsewhere is treated as having been in occupation on that date; and a person who changed his place of employment or occupation is treated similarly); and

(*b*) the house must have been purchased for owner-occupation between 1st September, 1939 and 13th December, 1955, and the owner must not have parted with his interest in the house before it was purchased compulsorily.

The condition affecting occupiers of a house or part of a house occupied for business purposes is broadly that the house must have been occupied wholly or partly for the purposes of a business by a person entitled to a freehold interest in the house or an interest for a term of more than one year both on 13th December, 1955, and at the date of the making of the order.

Any further compensation thus payable is the full compulsory purchase value of the interest of the owner or business occupier, less site value. The full compulsory purchase value is based on the market value of the interest for its existing use. Compensation under section 1 of the Act of 1956 is not payable in respect of any part of the house occupied at the date of the making of the order for any purposes other than those of a private dwelling (e.g. occupied for the purposes of a business), but compensation may be payable for this part of the house under section 2 in respect of the business occupation.

Any person who thinks that he is entitled to this further compensation should at once get into touch with the clerk of the local authority, who will inform him of the procedure for the examination of his claim.

If any person interested in a house subject to a compulsory purchase order is not entitled to compensation in respect of his interest under section 1 or 2 of the Act of 1956, but thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may, within three months after the service of the order on him, make a representation to the local authority accordingly. Unless the local authority notify him that they do not consider that the house has been well maintained, he will, when the house is purchased, receive a payment from them in accordance with section 42 of the Housing Act, 1936, as amended by any order of the Minister made under the Act of 1956. If the local authority give him notice that no payment falls to be made to him he can appeal to the County Court under section 15 of the Housing Act, 1936, unless he agrees with the local authority to submit the matter to arbitration. A form of representation may be obtained at the Council offices."

6. In Form No. 14 in the schedule to the principal regulations the following paragraphs shall be added immediately before the schedule to that form :—

" Compensation is payable under section 1 or 2 of the Slum Clearance (Compensation) Act, 1956, to owner-occupiers or occupiers for business purposes of houses which are vacated in pursuance of clearance orders, if certain conditions are fulfilled.

The conditions affecting owner-occupiers of houses are broadly as follows :—

(*a*) the house must have been wholly or partly owner-occupied as a private dwelling on 13th December, 1955 (a member of the armed forces who had within a year before that date been in owner-occupation but was not in occupation on that date because he had been posted elsewhere is treated as having been in occupation on that date; and a person who changed his place of employment or occupation is treated similarly); and

(*b*) the house must have been purchased for owner-occupation between 1st September, 1939 and 13th December, 1955, and the owner must not have parted with his interest in the house before it was vacated.

The condition affecting occupiers of a house or part of a house occupied for business purposes is broadly that the house must have been occupied wholly or partly for the purposes of a business by a person entitled to a freehold interest in the house or an interest for a term of more than one year both on 13th December, 1955, and at the date of the making of the order.

The compensation payable is the full compulsory purchase value of the interest of the owner or business occupier. From this is deducted the value of his interest in the site since he retains this value in his hands after the demolition of the house. The full compulsory purchase value is based on the market value of the interest for its existing use. Compensation under section 1 of the Act of 1956 is not payable in respect of any part of the house occupied at the date of the making of the order for any purposes other than those of a private dwelling (e.g. occupied for the purposes of a business), but compensation may be payable for this part of the house under section 2 in respect of the business occupation.

Any person who thinks that he is entitled to this compensation should at once get into touch with the clerk of the local authority, who will inform him of the procedure for the examination of his claim.

If the Minister of Housing and Local Government is satisfied, after causing a house subject to a clearance order to be inspected by an officer of the Ministry, that the house notwithstanding its unfitness has been well maintained by or at the expense of a person interested in the house who is not entitled to compensation in respect of his interest under section 1 or 2 of the Act of 1956. the Minister may give directions for the making by the local authority of a payment under section 42 of the Housing Act, 1936, as amended by any order of the Minister made under the Act of 1956. The Minister will not cause the house to be inspected with a view to giving any such directions unless a representation that the house has been well maintained is made to him without delay after the service of this notice. A form of representation may be obtained at the Council offices."

7. In Forms Nos. 24, 40 and 46 in the schedule to the principal regulations the following paragraphs shall be added—

(*a*) in the case of Form No. 24 following sub-paragraph (*b*) in the first paragraph under the heading " The following paragraphs, with any necessary

adaptations, to be inserted in notices to owners, etc. of land comprised in the clearance area";

(*b*) in the case of Form No. 40 at the end thereof; and

(*c*) in the case of Form No. 46 before the last paragraph of the Form, that is to say—

"Compensation is payable under section 1 or 2 of the Slum Clearance (Compensation) Act, 1956, to owner-occupiers or occupiers for business purposes of houses which are purchased compulsorily at site value, if certain conditions are fulfilled.

The conditions affecting owner-occupiers of houses are broadly as follows:—

(*a*) the house must have been wholly or partly owner-occupied as a private dwelling on 13th December, 1955 (a member of the armed forces who had within a year before that date been in owner-occupation but was not in occupation on that date because he had been posted elsewhere is treated as having been in occupation on that date; and a person who changed his place of employment or occupation is treated similarly); and

(*b*) the house must have been purchased for owner-occupation between 1st September, 1939 and 13th December, 1955, and the owner must not have parted with his interest in the house before it was purchased compulsorily.

The condition affecting the occupiers of a house or part of a house occupied for business purposes is broadly that the house must have been occupied wholly or partly for the purposes of a business by a person entitled to a freehold interest in the house or an interest for a term of more than one year both on 13th December, 1955, and at the date of the making of the order.

The compensation payable is the full compulsory purchase value of the interest of the owner or business occupier, less site value. The full compulsory purchase value is based on the market value of the interest for its existing use. Compensation under section 1 of the Act of 1956 is not payable in respect of any part of the house occupied at the date of the making of the order for any purposes other than those of a private dwelling (e.g. occupied for the purposes of a business), but compensation may be payable for this part of the house under section 2 in respect of the business occupation.

Any person who thinks that he is entitled to this compensation should at once get into touch with the clerk of the local authority, who will inform him of the procedure for the examination of his claim.

If the Minister of Housing and Local Government is satisfied, after causing a house subject to a compulsory purchase order to be inspected by an officer of the Ministry, that the house notwithstanding its unfitness has been well maintained by or at the expense of a person interested in the house who is not entitled to compensation in respect of his interest under section 1 or 2 of the Act of 1956, the Minister may give directions for the making by the local authority of a payment under section 42 of the Housing Act, 1936, as amended by any order of the Minister under the Act of 1956. The Minister will not cause the house to be inspected with a view to giving any such directions unless a representation that the house has been well maintained is made to him without delay after the service of this notice. A form of representation may be obtained at the Council offices."

8. The following forms shall be added to the forms in the schedule to the principal regulations, and those forms or forms substantially to the like effect shall be the forms to be used in connection with the powers and duties of the local authority under paragraph 9 of the Fifth Schedule to the Town and Country Planning Act, 1944(**a**), as amended by the Town and Country Planning Act, 1947(**b**), in the cases to which those forms are applicable.

FORM No. 52

PERSONAL NOTICE OF THE MAKING OF A DECLARATION OF UNFITNESS ORDER

HOUSING ACT, 1936

TOWN AND COUNTRY PLANNING ACT, 1944

AS AMENDED BY THE TOWN AND COUNTRY PLANNING ACT, 1947

To[1] [Owner] [Mortgagee][2]

Of[3]

Take Notice that the[4]

in pursuance of their powers under paragraph 9 of the Fifth Schedule to the Town and Country Planning Act, 1944, as amended by the Town and Country Planning Act, 1947, made on the day of , 195 , and are about to submit to the Minister of Housing and Local Government for confirmation an order (hereinafter referred to as " the unfitness order ") in respect of the house[s] described in the schedule hereto, [and shown coloured pink on the map annexed to the unfitness order] being [a] house[s] on land [designated by a development plan under the Town and Country Planning Act, 1947, as subject to compulsory acquisition] [which is proposed to be acquired compulsorily under [subsection (2) of section thirty-seven] [subsection (2) of section thirty-eight] of the Town and Country Planning Act, 1947,] declaring [it] [them] to be unfit for human habitation and not capable at reasonable expense of being rendered so fit.

The principal grounds upon which the local authority are of opinion that the house[s] is [are] unfit for human habitation and not capable at reasonable expense of being rendered so fit are set out in the schedule hereto.

Any objection to the unfitness order must be made in writing, stating the grounds of the objection, and be addressed to the Minister of Housing and Local Government, Whitehall, S.W.1., before the[5] day of , 195 .

If no objection is duly made by any of the persons on whom notices are required to be served, or if all objections so made are withdrawn, the Minister of Housing and Local Government may, if he thinks fit, confirm the unfitness order, but in any other case he is required before confirming the unfitness order to consider any objection not withdrawn and, if either the person by whom the objection was made or the local authority so desire, he must afford that person and the authority an opportunity of appearing before and being heard by a person appointed by him for the purpose, and may then, if he thinks fit, confirm the unfitness order.

If the unfitness order is confirmed, then the compensation to be paid for the house[s] on a compulsory purchase thereof pursuant to an authorisation given under Part IV of the Town and Country Planning Act, 1947, by the Minister having jurisdiction to give such authorisation, either before or within two years after the confirmation of the unfitness order, will be assessed in like manner as if it had been land purchased compulsorily under Part III of the Housing Act, 1936, as being land comprised in a clearance area. The compensation to be paid for the land, including any buildings thereon, will generally be the value at the time the valuation is made of the land as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws for the time being in force in the district.

(a) 7 & 8 Geo. 6. c. 47. (b) 10 & 11 Geo. 6. c. 51.

Further compensation may, however, be payable under section 1 or 2 of the Slum Clearance (Compensation) Act, 1956, which provides for payments to owner-occupiers or occupiers for business purposes of houses which are purchased compulsorily at site value, if certain conditions are fulfilled.

The conditions affecting owner-occupiers of houses are broadly as follows :—

(*a*) the house must have been wholly or partly owner-occupied as a private dwelling on 13th December, 1955 (a member of the armed forces who had within a year before that date been in owner-occupation but was not in occupation on that date because he had been posted elsewhere is treated as having been in occupation on that date ; and a person who changed his place of employment or occupation is treated similarly) ; and

(*b*) the house must have been purchased for owner-occupation between 1st September, 1939 and 13th December, 1955, and the owner must not have parted with his interest in the house before it was purchased compulsorily.

The condition affecting occupiers of a house or part of a house occupied for business purposes is broadly that the house must have been occupied wholly or partly for the purposes of a business by a person entitled to a freehold interest in the house or an interest for a term of more than one year both on 13th December, 1955, and at the date of the making of the order.

Any further compensation thus payable is the full compulsory purchase value of the interest of the owner or business occupier, less site value. The full compulsory purchase value is based on the market value of the interest for its existing use. Compensation under section 1 of the Act of 1956 is not payable in respect of any part of the house occupied at the date of the making of the order for any purposes other than those of a private dwelling (e.g. occupied for the purposes of a business), but compensation may be payable for this part of the house under section 2 in respect of a business occupation.

Any person who thinks that he is entitled to this further compensation should at once get into touch with the clerk of the local authority, who will inform him of the procedure for the examination of his claim.

If, on a representation made to him by a person having an interest in a house who is not entitled to this further compensation, the Minister of Housing and Local Government is satisfied that, notwithstanding its unfitness, it has been well maintained by him or at his expense, the Minister may give directions for the making by the local authority of a payment under section 42 of the Housing Act, 1936, as amended by any order of the Minister under the Act of 1956. Any representation for the above purpose must be made within three months from the date when the person making it first becomes aware that a notice to treat has been served in respect of the house. A form of representation may be obtained at the Council offices.

SCHEDULE

(1) Insert description of the house[s] comprised in the unfitness order, either as set out in the unfitness order or in such other manner as may be sufficient for the purposes of identification.

(2) Insert the principal grounds upon which the local authority are of opinion that the house[s] is [are] unfit.

Given under the seal of the this day of , 195 .

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM

[1] Name and address.
[2] Strike out where not applicable.
[3] Description of property.
[4] Name of local authority.
[5] Insert a date not less than 14 days after service of the notice.

FORM No. 53

FORM OF DECLARATION OF UNFITNESS ORDER

Whereas the (hereinafter called " the Council ") are a local authority for the purposes of Part III of the Housing Act, 1936;

And whereas the house[s] described in the schedule hereto [and shown coloured pink and numbered on the map annexed hereto] is [are] comprised in the area of the Council;

And whereas the house[s] is [are] comprised in land [designated by a development plan under the Town and Country Planning Act, 1947, as subject to compulsory acquisition] [which is proposed to be acquired compulsorily under [subsection (2) of section thirty-seven] [subsection (2) of section thirty-eight] of the Town and Country Planning Act, 1947];

And whereas the said house[s] is [are] in the opinion of the Council unfit for human habitation and not capable at reasonable expense of being rendered so fit:

Now therefore the Council in pursuance of their powers under paragraph 9 of the Fifth Schedule to the Town and Country Planning Act, 1944, as amended by the Town and Country Planning Act, 1947, hereby declare the said house[s] to be unfit for human habitation and not capable at reasonable expense of being rendered so fit.

This order may be cited as the (Declaration of Unfitness) Order, 195 .

SCHEDULE

Number on map	Description and situation of house	Owner or reputed owner

Given under the seal of the this day of nineteen hundred and fifty- .

Signature of the Clerk of the Local Authority.

9. The Housing (Declaration of Unfitness) Regulations, 1954(a), are hereby revoked.

Given under the official seal of the Minister of Housing and Local Government this second day of August, nineteen hundred and fifty-six.

(L.S.)

Duncan Sandys,
Minister of Housing and Local Government.

(a) S.I. 1954/1633 (1954 I, p. 947).

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations further amend the Housing Act (Form of Orders and Notices) Regulations, 1937, with a view to informing persons on whom certain orders and notices are served under the Housing Acts of rights to which they may be entitled under the Slum Clearance (Compensation) Act, 1956.

The regulations also revoke the Housing (Declaration of Unfitness) Regulations, 1954, and reproduce the forms contained in those regulations similarly amended in the light of the Act of 1956.

1956 No. 1466

The Housing (Improvement Grants) (Rate of Interest) Regulations, 1956

Made - - - -	*17th September*, 1956
Laid before Parliament	*24th September*, 1956
Coming into Operation	*1st October*, 1956

The Minister of Housing and Local Government, in exercise of his powers under subsection (1) of section 35 of the Housing Act, 1949(**a**), and of all other powers enabling him in that behalf, with the consent of the Treasury, hereby makes the following regulations :—

1. These regulations may be cited as the Housing (Improvement Grants) (Rate of Interest) Regulations, 1956, and shall come into operation on the first day of October, 1956.

2. The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The rate of interest to be taken for the purpose of calculating compound interest on any sum in accordance with the provisions of paragraph (*a*) or (*b*) of subsection (2) of section 23 of the Housing Act, 1949 (which prescribes conditions governing improvement grants, and provides for recovery by local authorities of certain sums, with compound interest, where there has been a breach of any such condition) shall be six per cent. per annum.

4. The Housing (Improvement Grants) (Rate of Interest) Regulations, 1952(**c**), are hereby revoked.

Given under the official seal of the Minister of Housing and Local Government this seventeenth day of September, nineteen hundred and fifty-six.

(L.S.) *Duncan Sandys*,
Minister of Housing and Local Government.

We consent to these regulations.

Martin Redmayne,
Edward Wakefield,
Two of the Lords Commissioners of Her Majesty's Treasury.

The seventeenth day of September, nineteen hundred and fifty-six.

(a) 12, 13 & 14 Geo. 6. c. 60. (b) 52 & 53 Vict. c. 63. (c) S.I. 1952/1087 (1952 I, p. 1154).