

1.—(1) These Regulations may be cited as the Housing (Houses Built for Letting) (Amendment) Regulations (Northern Ireland), 1946, and shall be construed as one with the Housing (Houses Built for Letting) Regulations (Northern Ireland), 1946 (in these Regulations referred to as “the principal Regulations”).

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2. Sub-paragraph (c) of paragraph (17) of Schedule III of the principal Regulations shall have effect as if for the words and figures “6 ft. 8 ins.” there were substituted “6 ft. 6 ins.”

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this twenty-ninth day of October, One thousand nine hundred and forty-six, in the presence of

(L.S.)

Ronald Green,

Assistant Secretary.

Schemes for the Erection of Houses for Owner Occupation

REGULATIONS, DATED 11TH OCTOBER, 1946, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HOUSING (No. 2) Act (NORTHERN IRELAND), 1946.

1946. No. 155

The Ministry of Health and Local Government for Northern Ireland (in these Regulations referred to as “the Ministry”), in exercise of the powers conferred upon it by the Housing (No. 2) Act (Northern Ireland), 1946 (in these Regulations referred to as “the Act”), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Housing (Owner Occupation) Regulations (Northern Ireland), 1946.

(2) In these Regulations the expression “appropriate local authority” means the local authority for the area in which the housing accommodation is to be provided.

(3) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2. A person desirous of providing himself with housing accommodation, or a person who wishes to erect houses for sale to persons desirous of providing themselves with such accommodation, under the provisions of the Act, shall submit proposals to the appropriate local authority in accordance with the provisions of Schedule I to these Regulations.

3. It shall be a condition of approval to any proposals submitted to a local authority under section six of the Act that the standards as to siting, accommodation and construction which are specified in Schedules II, III and IV of these Regulations (in these Regulations referred to as "the prescribed standards") and the method of measuring the superficial area which is specified in Schedule V of these Regulations, are observed. The payment of grants under the Act towards the cost of the provision of any accommodation provided thereunder shall be subject to compliance with the prescribed standards.

4. Any questions which may arise as to the interpretation of these Regulations shall be referred to, and determined by, the Ministry, whose decision shall be final.

5. Any house in respect of which a grant is payable or has been paid under Part III of the Act shall during erection and for a period of five years next after the date of payment of the grant be open to inspection by any duly authorised officer of the local authority or of the Ministry.

6. The local authority in whose area houses are proposed to be built may, if they so desire, require the applicant to give an undertaking, in writing, to pay to them, in respect of any expenses incurred by them in the examination of plans and any other work involved in connection with the application, a fee not exceeding £1 1s. 0d (one guinea) in respect of each house: provided, however, that where less than three houses are to be erected in accordance with any one house type plan, the minimum fee chargeable in respect of those houses shall be £3 3s. 0d. (three guineas).

The fees shall be payable to the local authority prior to the issue of Certificates "O/O A", or "O/O D", as the case may be.

7. The instruments to be executed in pursuance of section seven of the Act shall be in the forms set out in Schedule VI hereto or in forms substantially to the like effect as the nature of the case may require.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this eleventh day of October, One thousand nine hundred and forty-six, in the presence of

(L.S.)

Ronald Green,

Assistant Secretary.

SCHEDULE I

ERECTION OF HOUSES FOR OWNER OCCUPATION: GENERAL PROCEDURE.

PART I: Procedure in the case where a person wishes to erect a house for his own occupation.

1. A person who desires to erect a house for his own occupation under the provisions of the Act shall as a first step give notice, in writing, to the appropriate local

authority; this notice shall be accompanied by location plan, to a scale not less than 1/2500, suitably coloured to show the proposed site in a clear relation to existing development in the area: the plan must be such that the site can easily be identified therefrom.

2. On receipt of written intimation from the local authority that the latter is prepared to consider proposals, when submitted in the manner hereinafter prescribed, there shall be forwarded to the authority the under-mentioned documents *in duplicate* :—

(a) *House Plans.*

Complete house plans (with sections and elevations) of the house proposed to be erected, to a scale of one inch to four feet. These plans are to be fully dimensioned, and must show the areas of the rooms (to indicate compliance with the prescribed standards): they must be coloured, or section lined, and full details of construction, plumbing and drainage, and generally the nature of the different materials, must be described thereon.

(b) *Specification.*

A complete and detailed specification of all the works proposed.

3. Subject to the proposals complying with the requirements of these Regulations, the local authority shall issue, to the person who has submitted the proposals, a Certificate (Certificate "O/O A") in the form appended to this Schedule returning one set of the plans and specification with the approval of the local authority duly endorsed thereon. This Certificate should be forwarded to the Ministry of Finance when application is made for a building licence.

4. The erection of a house under the Act shall not be commenced until (a) a Certificate "O/O A" has been received from the local authority (accompanied by the approved plans and specification), and (b) the appropriate licence to build has been issued by the Ministry of Finance.

5. Before the foundations of a house are laid notification shall be sent to the local authority intimating that it is proposed to lay the foundations, and specifying the date on which it is intended to lay them.

6. When the erection of a house has been completed, the person who submitted the proposals shall forthwith notify, in writing, the local authority. The local authority shall thereupon cause the house to be inspected by a duly authorised officer and, if the authority is satisfied that the erection of the house has been completed in a proper and workmanlike manner, and in accordance with the prescribed standards and conditions, it shall issue a Certificate "O/O B", which shall be in the form appended to this Schedule.

7. The grant for which a person who has erected a house under approved proposals is eligible shall be payable by the local authority as soon as practicable following the receipt of the form of claim forming part of the Certificate "O/O B" in respect of that house.

8. The local authority shall forward to the Ministry after the payment of a grant in respect of a house a Certificate (Certificate "O/O C") and claim (which shall be in the form appended to this Schedule) for the recoupment to the authority of the appropriate sum, payable by the Ministry under the provisions of the Act, which sum shall (subject to the provisions of paragraph nine of this Schedule) be paid to the local authority as soon as reasonably practicable after receipt of Certificate "O/O C", provided that the Ministry is satisfied that the statutory and prescribed conditions have been complied with in respect of that house.

9. Certificate "O/O C" shall be subject to certification by the Local Government Auditor after payment has been made by the Ministry.

PART II: Procedure in the case where a person erects houses for sale to persons requiring the accommodation for their own occupation.

10. A person who desires to erect a house, or houses, for sale under the provisions of the Act (hereinafter referred to as "the owner") shall, as a first step, give notice,

in writing, to the appropriate local authority stating the number of houses proposed to be built; this notice shall be accompanied by location plan, to a scale of not less than 1/2500, suitably coloured to show the proposed site, or sites, in a clear relation to existing development in the area: the plan must be such that the site, or sites, can easily be identified therefrom.

11. On receipt of written intimation from the local authority that the latter is prepared to consider a scheme, when submitted in the manner hereinafter prescribed, the owner shall forward to the authority the under-mentioned documents in duplicate:—

(a) *Layout Plan and Sections for Roads and Services.*

A plan, to a scale of 1/500 (together with the necessary cross and longitudinal sections to a convenient scale) clearly showing the proposed roads and public footpaths, sewers and drains, water and gas mains, electrical transmission lines and cables, all related to contours and other ground levels, and also to existing roads and services.

This layout plan may not be required if all the information concerning roads and services is included in the general layout plan referred to next.

(b) *General Layout Plan.*

A plan, to a scale of 1/500, clearly showing—

- (a) the proposed houses (suitably identified by number and type) and other buildings, roads and footpaths.
- (b) the boundaries of the site;
- (c) by colour, or otherwise, the different features of the layout, e.g., house blocks, roads and footpaths, open spaces, etc.
- (d) existing buildings which adjoin the site, or are to remain on the site;
- (e) existing natural features, such as trees, hedges and streams;
- (f) contours and necessary spot levels;
- (g) all dimensions necessary to indicate compliance with the prescribed standards, e.g., distances between house blocks, etc.
- (h) widths of carriageways and footpaths.

In circumstances where it would not be practicable to show the full general layout to 1/500 scale on one drawing, the layout may be broken into sections, to a scale of 1/500, with, if necessary, a key plan to a convenient scale.

(c) *House Plans.*

Complete house plans, to a scale of one inch to four feet, with sections and elevations of each of the types of houses proposed to be erected. These plans are to be fully dimensioned, and must show the areas of the rooms (to indicate compliance with the prescribed standards); they must be coloured, or section lined, and full details of construction, plumbing and drainage and, generally, the nature of the different materials, must be described thereon. In cases where it is proposed to arrange houses of different types in blocks, it will, generally, be necessary to submit additional drawings to a convenient scale showing plans and elevations of the proposed arrangement.

(d) *Specification.*

A complete and detailed specification for—

- (a) roads and services; and
- (b) houses and other immediate site works.

12. Subject to the scheme complying with the requirements of these Regulations, the local authority shall issue to the owner a Certificate (Certificate "O/O D"), in the form appended to this Schedule, and return one set of the plans and specification with the approval of the local authority duly endorsed thereon. This Certificate should be forwarded to the Ministry of Finance when application is made for a building licence.

13. The erection of houses under the Act shall not be commenced until (a) a Certificate "O/O D" has been received from the local authority, (accompanied by the approved plans and specifications) and (b) the appropriate licence to build has been issued by the Ministry of Finance.

14. Before the foundations of a house are laid the owner shall send a notification to the local authority intimating that it is proposed to lay the foundations, and specifying the date on which it is intended to lay them.

15. When the erection of a house has been completed, the owner shall forthwith notify, in writing, the local authority. The local authority shall thereupon cause the house to be inspected by a duly authorised officer and, if the authority is satisfied that the erection of the house has been completed in a proper and workmanlike manner and in accordance with the prescribed standards and conditions, it shall issue a Certificate "O/O E" to the owner, which shall be in the form appended to this Schedule.

16. The grant, for which an owner who has erected a house under an approved scheme is eligible, shall be payable by the local authority as soon as practicable following the receipt of the form of claim forming part of the Certificate "O/O E" in respect of that house.

17. The local authority shall forward to the Ministry after the payment of a grant in respect of a house a Certificate (Certificate "O/O F") and claim, (which shall be in the form appended to this Schedule), for the recoupment to the authority of the appropriate sum, payable by the Ministry under the provisions of the Act, which sum shall (subject to the provisions of paragraph eighteen of this Schedule) be paid to the local authority as soon as reasonably practicable after receipt of Certificate "O/O F", provided that the Ministry is satisfied that the statutory and prescribed conditions have been complied with in respect of that house.

18. Certificate "O/O F" shall be subject to certification by the Local Government Auditor after payment has been made by the Ministry.

Certificate O/O A.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (NO. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF APPROVAL OF PROPOSALS TO CONSTRUCT
A HOUSE.

Certificate No.

To

of

This is to Certify :—

- (1) that the Council have approved the house plans and specifications (hereinafter referred to as "the proposals") submitted to them on the day of 19 .., in respect of the house described below ;
- (2) that the proposals comply with the prescribed standards.
- (3) that if the house is ultimately certified to have been satisfactorily completed, in accordance with the proposals now approved, and the Council are satisfied that :—
 - (a) the house falls within one of the categories specified in the first column of Fifth Schedule to the Act ;
 - (b) the terms of the building licence granted by the Ministry of Finance have been complied with in respect of that house in all respects ;

- (c) the cost to the owner (that is to say the person named in this Certificate, at whose expense the house has been provided) has not exceeded the permitted price specified in that building licence ;
- (d) the interest of the owner in the house is a sufficient security for the repayment of any charge which may be created by the Council in the exercise of the powers conferred by Section 7 of the Act ;
- (e) the house is not so constructed as to be capable of being easily amalgamated with any other house, or houses, so that such houses together form a single house ;

the Council will undertake to pay to the owner the grant provided for under the Act, provided that the owner has, beforehand, executed and handed over to the Council an instrument under his hand and seal in the form prescribed in Schedule VI to the Housing (Owner Occupation) Regulations (Northern Ireland), 1946, whereby the house is to be held for a period of five years next after the date of payment of the grant subject to the statutory conditions laid down in Section 7 of the Act.

Given under my hand this _____ day of _____ 19 ..

(Signed).....
for and on behalf of the Council.

NOTE : Approval for the purposes of planning and building bye-laws must be obtained from the appropriate authorities.
An application must also be made to the Ministry of Finance for Northern Ireland for a building licence ; this Certificate should be attached.

SCHEDULE .

Location of House

Particulars of House

Number of apartments

Superficial Area in square feet.

Type of Construction *

* That is, brick, stone, concrete, or other approved method of construction.

NOTE : This Certificate is to be prepared in QUADRUPPLICATE. One copy is to be forwarded to the person to whom it is granted ; two copies are to be sent to the Ministry, and the remaining copy is to be retained by the local authority.

Certificate O/O B.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (NO. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF COMPLETION OF HOUSE AND CLAIM FOR
PAYMENT OF STATUTORY GRANT.

To..... Certificate No.

of.....

.....

This is to Certify :—

- (1) that the house described in the Schedule appended to this Certificate falls within one of the three categories specified in the first column of the Fifth Schedule to the Act, and has been completed in a proper and workmanlike manner, in accordance with the proposals approved by the Council on the day of _____ 19 _____, and in compliance with the prescribed standards ;

- (2) that the terms of the building licence granted by the Ministry of Finance have been complied with in respect of that house in all respects ;
- (3) that the cost to the owner (that is to say the person named in this Certificate, at whose expense the house has been provided) has not exceeded the permitted price specified in that building licence ;
- (4) that the interest of the owner in the house is a sufficient security for the repayment of any charge which may be created by the Council in the exercise of the powers conferred by Section 7 of the Act.
- (5) that the house is not so constructed as to be capable of being easily amalgamated with any other house or houses, so that such houses would together form a single house.
- (6) that the owner has executed, and handed over to the Council, an instrument under his hand, in the form prescribed in Schedule VI to the Housing (Owner Occupation) Regulations (Northern Ireland), 1946, whereby the house is to be held for a period of five years next after the date of payment of the grant, subject to the statutory conditions laid down in Section 7 of the Act.
- (7) that the person named in this Certificate will be eligible to receive the grant provided for under the Housing (No. 2) Act (Northern Ireland), 1946.

Given under my hand this day of 19

(Signed).....
for and on behalf of the..... Council.

CLAIM FOR PAYMENT OF GRANT.

To the..... Council.

I hereby make application for the payment of the sum of £..... being the amount of the grant payable by the Council under the provisions of the Housing (No. 2) Act (Northern Ireland), 1946.

(Signed).....

(Date)..... 19.....

SCHEDULE

Location of House

Number of Apartments

Superficial Area (in square feet)

Amount of Grant for which Person named in this Certificate is eligible, £.....

NOTE : This Certificate is to be prepared IN QUADRUPPLICATE. One copy is to be forwarded to the person to whom it is granted (who should, in due course, complete the form of claim and return the Certificate to the Council) : two copies are to be sent to the Ministry, and the remaining copy is to be retained by the local authority.-

Certificate O/O C.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (NO. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF PAYMENT OF GRANT BY LOCAL AUTHORITY
AND CLAIM FOR PAYMENT OF CONTRIBUTION BY MINISTRY.*Certificate No.*To : The Ministry of Health and Local Government
for Northern Ireland.

This is to Certify :—

- (1) that the..... Council have on the day
of 19, paid to.....
the sum of £..... in accordance with the details furnished in the
Schedule to this Certificate ;
- (2) that the payment referred to at (1) above is in respect of housing accommodation
provided under proposals submitted to, and approved by, the Council under
Section 6 of the Housing (No. 2) Act (Northern Ireland), 1946, and that a
Certificate "O/O B" (Number.....) was issued in respect of the said
accommodation on the day of 19
- (3) that no previous "O/O C" has been issued in respect of the house described in
this Certificate.

The Council accordingly hereby make application for the payment of the sum of
£..... as detailed in the Schedule appended to this Certificate being the
amount of the contribution payable by the Ministry to the Council under the pro-
visions of the Housing (No. 2) Act (Northern Ireland), 1946.

Given under my hand this day of 19

(Signed).....
for and on behalf of the Council.

CERTIFICATE OF LOCAL GOVERNMENT AUDITOR.

I have examined the above Certificate and Claim and I hereby Certify (* subject to
the observations contained in the annexed report dated.....) that to the
best of my knowledge and belief the particulars entered therein are correct.

Dated this day of 19

(Signature).....
Local Government Auditor.

* Delete, if no report falls to be made.

SCHEDULE

| Location of house | Number and date of issue of Certificate "O/O B" | Details of Payment made by local authority | Details of amount claimed from Ministry |
|-------------------|---|--|---|
| | | Grant in respect of house of..... apartments, £..... | Contribution in respect of house of..... apartments, £..... |

NOTE : This Certificate is to be prepared in TRIPLICATE : two copies should be forwarded to the Ministry, the remaining copy to be retained by the local authority.

Certificate O/O D.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (No. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF APPROVAL OF PROPOSALS TO CONSTRUCT HOUSES.

Certificate No.

To :

of

This is to Certify :—

- (1) that the..... Council have approved the layout plan, house plans and specifications (hereinafter referred to as "the Scheme") submitted to them on the day of 19..... in respect of the houses described below ;
- (2) that the Scheme complies with the prescribed standards ;
- (3) that if a house is ultimately certified to have been satisfactorily completed in accordance with the scheme now approved, the Council will undertake to pay to the owner the grant provided for under the Act, provided that the Council are satisfied that :—
 - (a) the house falls within one of the three categories specified in the first column of the Fifth Schedule to the Act ;
 - (b) the terms of the building licence granted by the Ministry of Finance have been complied with in respect of that house in all respects ;
 - (c) the cost to the owner has not exceeded the permitted price specified in that building licence ;
 - (d) the interest of the owner in the house is a sufficient security for the repayment of any charge which may be created by the Council in the exercise of the powers conferred by Section 7 of the Act ;

- (e) the house is not so constructed as to be capable of being easily amalgamated with any other house, or houses, so that such houses together form a single house;

and the owner has, beforehand, executed and handed over to the Council an instrument under his hand and seal, in the form prescribed in Schedule VI to the Housing (Owner Occupation) Regulations (Northern Ireland), 1946, whereby the house is to be held for a period of five years next after the date of payment of the grant subject to the statutory conditions laid down in Section 7 of the Act.

Given under my hand this day of 19 .

(Signed).....
for and on behalf of the Council.

NOTE : Approval for the purposes of planning, and building bye-laws, must be obtained from the appropriate authorities.
An application must also be made to the Ministry of Finance for Northern Ireland for a building licence; this Certificate should be attached.

SCHEDULE OF HOUSES COMPRISED IN SCHEME.

Location of Scheme

Number of Houses comprised in Scheme.....

Particulars of House Types comprised in Scheme :

- (a) Houses of 5 or more apartments, numbered

Superficial Area in square feet *

Type of Construction †

- (b) Houses of 4 apartments, numbered

Superficial Area in square feet *

Type of Construction †

- (c) Houses of 3 apartments, numbered

Superficial Area in square feet *

Type of Construction †

* If houses of the same classification as regards number of apartments have different superficial areas, details must be given of the numbers of houses of each different superficial areas.

† That is, brick, stone, concrete, or other approved method of construction.

NOTE : This Certificate is to be prepared IN QUADRUPPLICATE. One copy is to be forwarded to the person to whom it is granted; two copies are to be sent to the Ministry, and the remaining copy is to be retained by the local authority.

Certificate O/O E.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (NO. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF COMPLETION OF HOUSE AND CLAIM FOR PAYMENT OF STATUTORY GRANT.

Certificate No.

To:

of

This is to Certify:—

- (1) that each of the houses described in the Schedule appended to this Certificate falls within one of the three categories specified in the first column of the Fifth Schedule to the Act, and has been completed in a proper and workmanlike manner, in accordance with the proposals approved by the Council on the day of 19 , and in accordance with the prescribed standards ;
- (2) in the case of each house referred to in this Certificate, the Council are satisfied that:—
 - (a) the terms of the building licence granted by the Ministry of Finance have been complied with in all respects ;
 - (b) the cost to the owner (that is to say the person named in this Certificate, at whose expense the house has been provided) has not exceeded the permitted price specified in that building licence ;
 - (c) the interest of the owner in the house is a sufficient security for the repayment of any charge which may be created by the Council in the exercise of the powers conferred by Section 7 of the Act.
 - (d) the house is not so constructed as to be capable of being easily amalgamated with any other house or houses so that such houses would together form a single house.
- (3) that the owner has executed, and handed over to the Council, an instrument under his hand, in the form prescribed in Schedule VI to the Housing (Owner Occupation) Regulations (Northern Ireland), 1946, whereby each house referred to in this Certificate is to be held for a period of five years next after the date of payment of the grant, subject to the statutory conditions laid down in Section 7 of the Act.
- (4) that the person named in this Certificate will be eligible to receive the grants provided for under the Housing (No. 2) Act (Northern Ireland), 1946.

Given under my hand this day of 19 ..

(Signed)
for and on behalf of the Council.

CLAIM FOR PAYMENT OF GRANT.

To the Council.

I hereby make application for the payment of the sum of £..... being the amount of the grant payable by the Council under the provisions of the Housing (No. 2) Act (Northern Ireland), 1946.

(Signed).....

(Date)..... 19.....

SCHEDULE.

Location of Scheme

Number of Houses comprised in Scheme

Number of Houses covered by this Certificate

Number of Houses covered by previous Certificates " O/O E " (Nos.)

(1) *Houses of 5 or more apartments completed*
(since last Certificate *) *numbered*
Superficial area of each house
completed (in square feet) †

(2) *Houses of 4 apartments completed*
(since last Certificate *), *numbered*
Superficial area of each house
completed, (in square feet) †

(3) *Houses of 3 apartments completed*
(since last Certificate *) *numbered*
Superficial area of each house
completed, (in square feet) †

* Strike out if inapplicable.

† If houses of the same classification as regards number of apartments have different superficial areas, details must be given of the numbers of houses of each different superficial area.

NOTE : This Certificate is to be prepared in QUADRUPPLICATE. One copy is to be forwarded to the person to whom it is granted (who should, in due course, complete the form of claim, and return the Certificate to the Council) ; two copies are to be sent to the Ministry, and the remaining copy is to be retained by the local authority.

Certificate O/O F.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (No. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF PAYMENT OF GRANTS BY LOCAL AUTHORITY
AND CLAIM FOR PAYMENT OF CONTRIBUTION BY MINISTRY.

Certificate No.

To : The Ministry of Health and Local Government
for Northern Ireland.

This is to Certify :—

- (1) that the Council have on the day
of 19, paid the sum of £ in
accordance with the details furnished in the Schedule to this Certificate ;
- (2) that each house referred to in this Certificate has been included in a scheme
submitted to, and approved by, the Council, under Section 6 of the Housing
(No. 2) Act (Northern Ireland), 1946, in respect of which a Certificate " O/O E "
(Number) was issued on the day of 19
- (3) that, in the case of each house referred to in this Certificate, the Council are
satisfied that :—

- (a) the house falls within one of the categories specified in the first column of the Fifth Schedule to the Act;
 - (b) the terms of the building licence granted by the Ministry of Finance have been complied with, in respect of that house, in all respects;
 - (c) the cost to the person at whose expense the house has been provided (hereinafter referred to as "the owner") has not exceeded the permitted price specified in that building licence;
 - (d) the interest of the owner in the house is a sufficient security for the repayment of any charge which may be created by the Council in the exercise of powers conferred by Section 7 of the Act;
 - (e) the house is not so constructed as to be capable of being easily amalgamated with any other house, or houses, so that such houses together form a single house.
- (4) that, in the case of each house referred to in this Certificate, the owner has, before payment of grant by the Council, executed and handed over to the Council an instrument, under his hand and seal, in the form prescribed in Schedule VI to the Housing (Owner Occupation) Regulations (Northern Ireland), 1946, whereby the house is to be held, for a period of five years next after the date of payment of the grant, subject to the statutory conditions laid down in Section 7 of the Act.
- (5) that no previous Certificate "O/O F" has been issued in respect of any house included in this Certificate.

The Council accordingly hereby make application for the payment of the sum of £..... as detailed in the Schedule appended to this Certificate being the amount of the contribution payable by the Ministry to the Council under the provisions of the Housing (No. 2) Act (Northern Ireland), 1946.

Given under my hand this day of 19

(Signed).....
for and on behalf of the Council.

CERTIFICATE OF LOCAL GOVERNMENT AUDITOR.

I have examined the above Certificate and Claim and I hereby Certify (* subject to the observations contained in the annexed report dated.....) that to the best of my knowledge and belief the particulars entered therein are correct.

Dated this day of 19

(Signature).....
Local Government Auditor.

* Delete, if no report falls to be made,

SCHEDULE

Location of Scheme

Name of Owner

Certificate "O/O E" (Number.....) issued on..... 19.....

Houses of 5, or more, apartments :

Identification Numbers (from Certificate "O/O E").....

Date of Payment of Grant 19.....

Amount Paid £.....

Amount Claimed from Ministry £.....

Houses of 4 apartments :

Identification Numbers (from Certificate "O/O E")

Date of Payment of Grant 19.....

Amount Paid £.....

Amount Claimed from Ministry £.....

Houses of 3 apartments :

Identification Numbers (from Certificate "O/O E")

Date of Payment of Grant 19.....

Amount Paid £.....

Amount Claimed from Ministry £.....

SUMMARY.

| | £ |
|---|--------|
| Amount claimed in respect of 5 (or more) apartment houses ... | |
| " " " 4 " " ... | |
| " " " 3 " " ... | |
| | £..... |

NOTE : This Certificate is to be prepared IN TRIPLICATE : two copies should be forwarded to the Ministry, the remaining copy to be retained by the local authority.

SCHEDULE II

STANDARDS OF SITING.

- (1) The distances laid down in these standards for the siting of workers' houses are minimum distances, and are prescribed without prejudice to local Bye-Laws, and Planning Acts and Orders. The distances shall, unless otherwise required, be measured at right angles to the wall or walls.
- (2) The standards will apply in respect of workers' houses built as single-storey or two-storey dwellings. Where workers' dwellings consisting of more than two storeys are to be provided, the siting requirements will be determined having regard to the particular circumstances of the case.
- (3) Where the expression "main front wall" is used in these standards it shall be deemed to exclude porches and bay-windows. Similarly the expression "main back wall" shall be deemed to exclude porches, bay-windows, and single-storey projections or outbuildings, but shall include projections or outbuildings of more than one storey.
- (4) *Density and Open Spaces.*
The net residential density, and the extent to which provision must be made for open spaces, shall be determined by the local planning authority.
- (5) *Building Lines.*
The distance between building lines on any frontage shall be not less than 60 feet.

(6) *Distance between House Fronts.*

The distance between the main front walls of houses shall be not less than 60 feet.

(7) *Distance between House Backs.*

The distance between the main back walls of houses shall be not less than 70 feet.

(8) *Distance between House Fronts and Backs.*

Where houses are sited so that the fronts of some houses face the backs of others, the distance between the main front walls and the main back walls shall be not less than 70 feet.

(9) *Distance between House Fronts or Backs and Gable Ends.*

The distance between the main front or back wall of a house, and the end, or gable, wall of another house, shall be not less than 45 feet.

(10) *Distance between House Fronts, or Backs, and outbuildings or projections.*

A minimum distance of 35 feet shall be provided between the main front, or back, wall of a house and any single-storey outbuilding, structure, or projection (not contained within the curtilage of the house) which does not measure more than 10 feet in height from ground level to eaves or parapet : where the height of such outbuilding, structure or projection exceeds 10 feet the minimum permissible distance will be determined in the light of the particular circumstances of the case.

(11) *Distance between Gable Walls of Houses or Terraces.*

The distance between gable, or end, walls of adjacent houses shall be not less than 20 feet.

Provided that :—

(a) Where there is no principal window in either of the facing walls (*i.e.*, a window providing the minimum lighting required in respect of a living-room, or a bedroom, or accommodation used for cooking purposes, or a ground floor bathroom), the distance between the facing walls may be reduced to 12 feet ; or,

(b) where there are no windows, or doors, in the facing walls, the distance may be reduced to 8 feet.

(12) The minimum distance between a public footpath, and any part of a house containing any door, or window, the sill of which is not more than 6 feet above the level of the said footpath, shall be 5 feet.

(13) *Depth of Back Gardens.*

The distance of the division or boundary fence of the curtilage from the main back wall of a house shall be not less than an average of 25 feet, measured within the extreme limits of the main back wall.

SCHEDULE III

STANDARDS OF ACCOMMODATION.

(1) In calculating minimum floor areas for the purposes of these standards the measurements shall be taken to the *rough wall surface* or framework, the normal thickness of plaster, if any, being assumed. Minimum sizes of all rooms may include built-in cupboards or presses which have a minimum head-room of 6 ft. 6 ins., *but shall not include chimney breasts, larder, press containing hot water cylinder, or stair bulkheads which are less than 6 ft. 6 ins. from the ceiling.*

(2) *Living Room (including Scullery or Kitchen Accommodation.)*

| <i>Number of Bedrooms in House</i> | <i>Minimum Floor Area to be provided for Living-Room and Scullery or Kitchen Accommodation.</i> |
|------------------------------------|---|
| One or Two | 215 square feet |
| Three or More | 235 " |

- (3) Where a house contains two living rooms, the minimum combined floor area of such living room accommodation shall (taken together with the scullery or kitchen accommodation) be 335 square feet, (see paragraph 14 regarding orientation of living room), provided, however, that in no case shall the floor area of a living room be less than 100 square feet.
- (4) The space to be provided for scullery or kitchen accommodation shall contain a suitable sink and draining board.

(5) *Bedroom Accommodation.*

In every case one bedroom of at least 120 sq. ft. in floor area shall be provided: a bedroom shall in no case have a floor area of less than 70 sq. ft.

A bedroom shall not be provided in respect of which the sole means of access thereto is through another bedroom.

The total floor area of the bedroom accommodation shall be as follows:—

| <i>Number of Bedrooms in House</i> | <i>Total Minimum Floor Area.</i> |
|------------------------------------|----------------------------------|
| One | 120 square feet |
| Two | 225 " |
| Three | 295 " |
| Four | 390 " |
| Five | 470 " |
| Six | 550 " |

(6) *Facilities for Heating of Water and for Cooking:*(a) *Where Gas or Electricity Services are available.*

Where gas or electricity services are available suitable arrangements shall be made to enable a gas, or electric, cooker to be installed.

(b) *Where there are no such Services available.*

Where neither gas or electricity supplies are available, there shall be provided a suitable solid fuel cooking appliance.

In every case where there is a supply of piped water available, there shall be provided a suitable hot water circulating system.

(7) *Larder Accommodation.*

Well ventilated larder accommodation shall be provided inside each house; such accommodation shall have direct means of ventilation to the outside air, and shall be provided with adequate shelving.

(8) *Fuel Storage Accommodation.*

Where solid fuel is to be used for the purpose of providing heating, storage accommodation of permanent construction shall be provided to afford a minimum capacity of 52 cubic feet. Adequate access for the delivery of fuel shall be provided, which must not be directly from a scullery or living room.

The height of the accommodation provided shall not, for the purpose of calculating the capacity, be taken as more than 6 ft. 6 ins.

(9) *General Storage Accommodation.*

Each house must have storage accommodation on the ground floor free of passages, capable of accommodating a perambulator, it being taken that a minimum width of 2 ft. 9 ins. is required for purposes of a passage.

There must also be provided additional space of at least 32 square feet, either by providing a separate store of permanent construction (which may be either inside or outside the house), or by increasing the prescribed floor area of the living room, or bedroom, accommodation.

Provided that in the case of houses with not more than two apartments it shall be permissible to dispense with the provision of general storage and perambulator accommodation.

(10) *Cupboard Accommodation.*

In addition to the larder and hot press, cupboard accommodation with adequate shelving shall be provided in each house to afford, as a minimum :—

- (a) 40 cubic feet other than in respect of bedrooms ; and
- (b) 30 cubic feet in respect of each bedroom.

(11) *Shelving, etc.*

In each house there shall be provided (exclusive of shelving already prescribed for larder and cupboards) :—

- (a) shelving, measuring a minimum of 6 super feet, which may be in the scullery, or the kitchen, or in any living room.
- (b) adequate arrangements for hanging hats and coats.

(12) *Bathroom, Hot Press and W.C. Accommodation :*

(a) *Where a local supply of piped water is available.*

Where there is a local piped water supply there shall be provided in each house a bathroom (including a bath and washhand basin), hot press, and w.c. accommodation. The size of these compartments should be sufficient to provide reasonable space for access to, and use of, the fittings provided. In the case of a house with three or more bedrooms, if the w.c. is included in the bathroom, separate additional w.c. accommodation must also be provided.

(b) *Where there is no local supply of piped water available.*

Where there is no local supply of piped water, and the Local Authority is satisfied that it would not be reasonably practicable to provide any such supply, a storage tank, with a minimum capacity of 100 gallons, located suitably for the purpose of providing a supply of water to the scullery sink, bath and w.c., shall be provided in respect of each house. This storage tank should, if practicable, be capable of being replenished from a pumped water supply, and/or rain water collected from the roof.

Provided that where the Local Authority is satisfied that there is no adequate means for disposal of waste water, and/or sewage, it may agree to the omission of the provision of a bathroom, and/or w.c. : where no w.c. is provided, however, there must be an individual earth closet, or other approved arrangement.

A bathroom or w.c. shall not communicate directly with any living room, bedroom, kitchen or scullery, nor shall any bathroom or w.c. be so placed that the only means of access thereto, from any bedroom is through a living room.

(13) *Ceiling Heights.*

The minimum ceiling height of any room designed for use as a living room, scullery or bedroom, shall be 8 ft.

A ceiling height of 7 ft. 6 ins. shall, however, be permissible on any floor of a house on a site situated in the open country, or in a town with a population of not more than 3,000, provided that the net residential density of such site is not greater than six houses per acre.

Where accommodation is provided wholly, or partly, in the roof space of a house, such accommodation shall, over an area of not less than half of the total floor area of the room, be at least 8 ft. in height ; in calculating the minimum floor area of any room so provided (for the purpose of complying with these standards) any area below a height of five feet from the floor level shall be disregarded.

(14) *Windows.*

The window area in any room designed for living, or cooking purposes shall be not less than one-eighth and, in the case of a bedroom, one-tenth for the corresponding floor area. In the case of at least one living room a window shall

face towards the sun, with extreme limits of due east and due west. Each window shall be so constructed that a total area may be opened corresponding to not less than one-twentieth of the floor area of the room.

In the calculation of the window area, the glass area permitting the passage of natural external light shall be taken into account, astragals or glazing bars of normal size being disregarded.

In the case of any window required to be provided in respect of a living room, bedroom, or scullery, the height from the ceiling level to the lintel shall not be more than 1 ft. 6 ins.

The area of any window provided in respect of a room shall not be included as part of the minimum window area required in respect of that room if any building or other obstruction is of such a height as to subtend an angle of more than 40° measured at right angles to the face of the window from a horizontal line at a point on the external wall 3 feet above the floor level of the room. Such maximum angle of obstruction shall be deemed to apply within the distance of 70 ft. from the external wall of the room. In the case of distances greater than 70 ft. the permissible angle of obstruction will be decided after consideration of the circumstances.

(15) *Room Heating.*

Where solid fuel is proposed, as the principal source of heating, a fireplace shall be provided in the living room (in the case of a house with two living rooms, in the principal living room). In addition there shall be provided, in respect of the undermentioned apartments, either (a) a fireplace, or (b) some other fixed means of providing adequate heating.

- (1) the second living room (in the case of a house with two living rooms);
- (2) the first, or second, bedroom.

Where the principal means of heating proposed is otherwise than by the use of solid fuel, the provision of fireplaces as above may not be required, but, in any such case, specific approval shall be sought to the system proposed.

(16) *Permanent Ventilation.*

Each living room, bedroom, kitchen or scullery, shall be provided with a system of ventilation (which shall be in operation at all times, irrespective of occasional ventilation afforded by an open window or door), so as to provide a computed rate of approximately 1,200 cubic feet of air per hour.

Such an approximate rate of air change will be deemed to have been provided by any of the following methods :—

- (a) A properly constructed flue serving a solid fuel fire, or a gas fire with adequate inlet from the external air.
- (b) A flue pipe or shaft terminating above the roof, having an effective net cross sectional area of 30 square inches, with adequate inlet from the external air.
- (c) An outlet ventilator open to the external air, having an effective net area of 30 square inches with adequate inlet from the external air.
- (d) A fanlight opening, or other aperture, with an effective net area of 30 square inches open to a lobby, corridor or habitable room which is itself ventilated as in (a), (b) or (c) with adequate inlet from the external air.
- (e) Any other approved method which gives the rate of air change stipulated above.

(17) *Stairs.*

The stairs shall be so constructed that :—

- (a) The going shall be not less than 8½ inches, and the rise shall not exceed 7¼ inches.
- (b) The width of the stairs shall be not less than 2 ft. 8 ins., measured in the clear between handrail and wall finish, or between handrails.
- (c) There shall be provided at least 6 ft. 8 ins. head-room, as measured vertically from a line joining the nosings of the treads to any ceiling, soffit, or other obstruction, and at least 5 ft. clearance at right angles to this line.

(18) *Passages.*

Any passage within a house shall have a minimum clear width of 2 ft. 9 ins.

(19) *Doors.*

Doors, other than to cupboards, etc., shall have a minimum height of 6 ft. 6 ins. Doors giving access to a living room, bedroom, scullery or kitchen, shall have a minimum width of 2 ft. 6 ins. The principal external door shall have a minimum width of 2 ft. 9 ins.

SCHEDULE IV

STANDARDS OF CONSTRUCTION.

The following rules shall be observed in the construction of a house erected under the Act :

- (1) The house shall be constructed so as to conform to the building bye-laws of the local authority in whose area the house is situated, and shall also conform to the following requirements :
- (2) Materials, fittings, articles, workmanship and methods of work shall be in accordance with good building practice, and should not be inferior to the requirements of the relative British Standard Specifications and Codes of Practice issued up to the 1st August, 1946.
- (3) *Ground Floor.* The ground floor shall be constructed either in one of the recognized forms of solid construction, having a concrete ground slab, or in the form of an adequately ventilated timber joisted floor with tongued and grooved boarding.
- (4) *External Walls.* The external walls shall be of cavity construction, formed with an outer and inner skin each of $4\frac{1}{2}$ ins. thick brickwork, adequately tied together with wall ties (kept free from mortar droppings), across a 2 in. cavity.

Every care must be taken to ensure that the inner skin cannot be affected by any weather penetration of the outer skin : to this end damp-proof courses, and membranes, or other recognized barriers shall be provided at places where the cavity may be bridged, for example, at parapets, lintels, sills and jambs of windows and doors, etc.

- (5) *Party Walls.* Party walls shall be of, (a), cavity construction, formed with two skins, each of $4\frac{1}{2}$ ins. thick brickwork adequately tied together across a 2 in. cavity with non-rigid wall ties, or, (b), 9" thick solid brickwork.
All party walls must be carried up at least as far as the under side of the roof covering.
- (6) *Roofs.* Roofs shall be covered with slates or tiles, with an underlay of felt.

Approval may be given to a form of construction other than as required at (3) to (6) above, provided that it is demonstrated that the alternative form of construction proposed is not materially inferior to the standards prescribed.

SCHEDULE V

CALCULATION OF SUPERFICIAL AREA.

The following rules shall be observed in the calculation of the superficial area of a house erected under the Act.

- (1) The superficial area shall be the whole area, measured to the unfinished wall surfaces, within the external or containing walls of the house (so as to include the area of partitions, chimney breasts, bay windows and similar space) and, in the case of houses of more than one storey, shall be the combined areas as so measured of the several storeys.

- (2) In the case of houses built in flats, the space occupied by a staircase will not be included in measuring the area of a flat.
- (3) The area of accommodation provided in a basement or in an attic or storey formed in the roof space shall be included in the superficial area without regard to the use to which it may be intended to be put ; provided the area of so much of the said accommodation as is less than 5 feet in height will be excluded.
- (4) The area of accommodation provided in an outbuilding of permanent construction (which is a building not communicating with the house and which is outside the containing walls of the house whether attached thereto or not) shall be included in the superficial area. The area of an outbuilding shall be measured within the containing walls of that area.
- (5) The area of a porch, or of a verandah or covered open space, shall be included in the measurement of the house, excepting so much of the said area, which is outside the containing walls of the house, although attached thereto, and which does not exceed 20 square feet.

SCHEDULE VI

Regulation 7.

PART I

FORM OF INSTRUMENT PRESCRIBED UNDER SECTION 7 (1) OF THE ACT.

FORM NO. 1

(to be used where the title to the house is registered under the Local Registration of Title (Ireland) Act, 1891).

LAND REGISTRY OF NORTHERN IRELAND.

Folio No..... County..... Lands of.....

Registered Owner.....

I the above-named registered owner in consideration of the grant of £..... pounds paid to me by the Council of the..... (hereinafter called the Council) by way of grant under the Housing (No. 2) Act (Northern Ireland), 1946 (the receipt whereof I hereby acknowledge) hereby empower the Council in the event of any breach or contravention of any of the covenants on my part hereinafter contained by registered deed to charge the lands comprised in the above-mentioned Folio with the sum of..... pounds together with costs in connection with the exercise of this power and I hereby assent to the registration of the said power and of any charge created thereunder as burdens affecting the said lands.

And I hereby for myself and the owners for the time being of the said lands, (my heirs executors administrators and assigns) covenant with the Council that until the expiration of the period of five years next after the..... day of..... 19.....

- * (1) The lands comprised in the above-mentioned Folio shall not be sold or transferred for a consideration which exceeds in value the sum of..... pounds.
- (2) The house in respect of which the said grant is made shall not be amalgamated with any other house or houses so that such houses together form a single house.
- (3) The said house shall not be enlarged altered or structurally modified in such a manner that it ceases to conform to the requirements as to type or dimensions for the time being in force under Part III of the Housing (No. 2) Act (Northern Ireland) 1946, for the purpose of payment of a grant under that Part of that Act.

Houses Built for Owner Occupation.

317

Dated this day of 19.....

(SEAL)

(Registered Owner)

Signed, Sealed and Delivered in presence of

Name.....

Address.....

Description.....

Name.....

Address.....

Description.....

* NOTE : If the holding comprised in the Folio contains lands other than the lands upon which the house, in respect of which the grant is payable, is built and and the immediate curtilage of such house it will generally be desirable that a separate Folio be opened in respect of the last-mentioned lands.

FORM No. 2

(to be used where the title to the house is NOT registered under the Local Registration of Title (Ireland) Act, 1891).

This Indenture made the..... day of..... One thousand nine hundred and..... Between..... of..... in the County of.....

(hereinafter called " the Owner " which expression shall where the context so admits include his heirs executors administrators and assigns) of the one part and the Council of..... (hereinafter called " the Council ") of the other part Witnesseth that in consideration of the grant of..... pounds paid to the Owner by the Council by way of grant under the Housing (No.2) Act (Northern Ireland), 1946 (the receipt whereof the Owner doth hereby acknowledge) the Owner doth hereby empower the Council in the event of any breach or contravention of any of the covenants hereinafter contained by deed to charge the lands described in the Schedule hereto with the sum of..... pounds together with costs in connection with the exercise of such power And This Indenture Further Witnesseth that for the consideration aforesaid the Owner doth hereby for himself his heirs executors administrators and assigns the owners and occupiers for the time being of the said lands covenant with the Council that until the expiration of the period of five years next after the..... day of..... One thousand nine hundred and.....

- (1) The lands described in the Schedule hereto shall not be sold or transferred for a consideration which exceeds in value the sum of..... pounds
(2) The house in respect of which the said grant is made shall not be amalgamated with any other house or houses so that such houses together form a single house and
(3) The said house shall not be enlarged altered or structurally modified in such a manner that it ceases to conform to the requirements as to type or dimensions for the time being in force under Part III of the Housing (No. 2) Act (Northern Ireland), 1946 for the purpose of payment of a grant under that Part of that Act. In Witness whereof the Owner has hereunto set his hand and seal and the Council have affixed their Common Seal the day and year first herein written.

Signed Sealed and Delivered by

the said.....

in presence of :—

(SEAL)

(Owner)

Name.....

Address

Description.....

Name.....

Address

Description.....

Sealed with the Common Seal of the

Council of.....

(SEAL)

and Delivered

in presence of :—

..... Mayor/Chairman
of the Council

..... Town Clerk/
Clerk of the
Council.

SCHEDULE

(description of the lands upon which the house, in respect of which the grant is payable, is built and the immediate curtilage of such house).

NOTE : As the Deed will require to be registered in the Registry of Deeds for Northern Ireland it will be necessary to execute the usual form of Memorial.

PART II

FORM OF INSTRUMENT PRESCRIBED UNDER SECTION 7 (3) OF THE ACT.

FORM NO. 1

(to be used where the title to the house is registered under the Local Registration of Title (Ireland) Act, 1891).

LAND REGISTRY OF NORTHERN IRELAND.

Folio No. County..... Lands of.....

Registered Owner.....

Registered Owner of a Power to Charge.....

The Council of the..... the above-mentioned registered owner of a Power to Charge for the sum of..... pounds and costs registered on the..... day of..... 19..... as a burden on the lands comprised in the above-mentioned Folio do release from the said Power to Charge the said lands and hereby assent to the cancellation of the said burden on the register.

Sealed with the Common Seal of the

Council of.....

(SEAL)

and Delivered in presence of :—

..... Mayor/Chairman
of the Council

..... Town Clerk/
Clerk of the
Council.

FORM No. 2

(to be used where the title to the house is NOT registered under the Local Registration of Title (Ireland) Act, 1891).

The Council of..... hereby acknowledge that there has not been any breach or contravention of the covenants contained in the within deed and declare that the house and lands referred to in the within deed are freed and discharged from the conditions therein mentioned. And Further the said Council do hereby release and discharge the lands described in the Schedule to the within deed from the power to charge conferred on the Council by the within deed.

Dated this..... day of..... One thousand nine hundred and.....

Sealed with the Common Seal of the

Council of.....

(SEAL)

and Delivered in presence of :—

..... Mayor/Chairman of the Council

..... Town Clerk/ Clerk of the Council.

REGULATIONS, DATED 29TH OCTOBER, 1946, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HOUSING (No. 2) ACT (NORTHERN IRELAND), 1946.

1946. No. 179

The Ministry of Health and Local Government for Northern Ireland (in these Regulations referred to as " the Ministry "), in exercise of the powers conferred upon it by the Housing (No. 2) Act (Northern Ireland), 1946, hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Housing (Owner Occupation) (Amendment) Regulations (Northern Ireland), 1946, and shall be construed as one with the Housing (Owner Occupation) Regulations (Northern Ireland), 1946 (in these Regulations referred to as " the principal Regulations "):

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2. The principal Regulations shall have effect as if there were added, after regulation three thereof, the following regulation :—

" 3A. The Ministry may assent to the modification of or departure from the provisions of these Regulations."

3. Sub-paragraph (c) of paragraph (17) of Schedule III of the