

2002 No. 317

HOUSING

The Housing (Right to Buy) (Houses Liable to Demolition) (Scotland) Order 2002

Made 26th June 2002

Laid before the Scottish Parliament 27th June 2002

Coming into force 30th September 2002

The Scottish Ministers, in exercise of the powers conferred by section 70A(3) of the Housing (Scotland) Act 1987(a), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Housing (Right to Buy) (Houses Liable to Demolition) (Scotland) Order 2002 and shall come into force on 30th September 2002.

Information to be submitted to Scottish Ministers in support of an application for authorisation to refuse to sell a house liable to demolition

2. The information set out in article 3 below is hereby prescribed as the information which must accompany an application to the Scottish Ministers under section 70A(1) of the Housing (Scotland) Act 1987 (authorisation of refusal to sell houses liable to demolition).

3. The information referred to in article 2 above is—

- (a) a description of the house to which the application relates including—
 - (i) its postal address;
 - (ii) its type and the number of its apartments;
 - (iii) its market value; and
 - (iv) whether the Housing (Right to Buy) (Cost Floor) (Scotland) Order 1999(b) will apply to the sale;
- (b) the duration of the tenancy of the house to which the application relates and the estimated discount entitlement of the person who has applied to purchase the house; and
- (c) details of the demolition proposal including—
 - (i) a copy of, as the case may be, the relevant minute of the board or committee of, or of a resolution of the members of, the landlord body recording the decision to demolish;
 - (ii) the reasons for the demolition proposal;
 - (iii) the reasons why it is considered that the application to purchase should be refused;
 - (iv) a copy of the demolition programme timetable and the likely effect on the applicant;

(a) 1987 c.26; section 70A was inserted by section 48 of the Housing (Scotland) Act 2001 (asp 10).

(b) S.I. 1999/611.

- (v) details of factors which may cause the demolition proposal to be delayed or abandoned; and
- (vi) details of the extent to which the landlord consulted with the tenant about the demolition proposal prior to the decision to demolish being taken.

St Andrew's House,
Edinburgh
26th June 2002

MARGARET CURRAN
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides details of the information to be submitted to the Scottish Ministers by a landlord in support of an application for authorisation to refuse to sell a house to an applicant under the right to buy legislation where the landlord has already made a decision to demolish that house.

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(Scotland) Order 2002**

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