



Housing Act 1974

1974 CHAPTER 44

PART VII

FINANCIAL ASSISTANCE TOWARDS WORKS OF IMPROVEMENT, REPAIR AND CONVERSION

Improvement grants

61 Improvement grants

- (1) A local authority shall pay an improvement grant if—
 - (a) an application for such a grant, made in accordance with this Part of this Act, is approved by them, and
 - (b) the conditions for the payment of the grant are fulfilled,and, subject to the provisions of this Part of this Act, a local authority may approve an application for an improvement grant in such circumstances as they think fit.
- (2) A local authority shall not approve an application for an improvement grant unless they are satisfied that, on completion of the relevant works, the dwelling or, as the case may be, each of the dwellings to which the application relates will attain the required standard.
- (3) For the purposes of this section a dwelling shall be taken, subject to subsections (4) and (5) below, to attain the required standard if the following conditions are fulfilled with respect to it, namely—
 - (a) that it is provided with all the standard amenities for the exclusive use of its occupants; and
 - (b) that it is in good repair (disregarding the state of internal decorative repair) having regard to its age and character and the locality in which it is situated; and
 - (c) that it conforms with such requirements with respect to construction and physical conditions and the provision of services and amenities as may for the time being be specified by the Secretary of State for the purposes of this section; and

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- (d) that it is likely to provide satisfactory housing accommodation for a period of 30 years.
- (4) If it appears to a local authority that it is not practicable at reasonable expense for a dwelling to which an application for an improvement grant relates—
 - (a) to be provided with all the standard amenities, or
 - (b) to attain the standard of repair required by the condition in paragraph (b) of subsection (3) above, or
 - (c) to conform in every respect with the requirements referred to in paragraph (c) of that subsection,
 the authority may, in the case of that dwelling, reduce the required standard by dispensing with the condition in question to such extent as will enable them, if they think fit, to approve the application.
- (5) If it appears to a local authority reasonable to do so in the case of any dwelling to which an application for an improvement grant relates, they may reduce the required standard by substituting for the period specified in paragraph (d) of subsection (3) above such shorter period of not less than 10 years as appears to them to be appropriate in the circumstances.

62 Rateable value limit on improvement grants for dwellings for owner occupation

- (1) If an application for an improvement grant in respect of works required for the improvement of a dwelling or dwellings is accompanied by a certificate of owner-occupation relating to that dwelling or, as the case may be, one of those dwellings, the local authority shall not approve the application if, on the date of the application, the rateable value of the dwelling to which that certificate relates is in excess of the relevant limit.
- (2) If an application for an improvement grant in respect of works required for the provision of a dwelling or dwellings by the conversion of any premises which consist of or include a house or two or more houses is accompanied by a certificate of owner-occupation in respect of that dwelling or, as the case may be, one of those dwellings, the local authority shall not approve the application if, on the date of the application,—
 - (a) the rateable value of that house or, as the case may be, any of those houses, or
 - (b) where the certificate relates to a dwelling to be provided by the conversion of premises consisting of or including two or more houses, the aggregate of the rateable values of those houses,
 is in excess of the relevant limit.
- (3) In this section " the relevant limit" means such limit of rateable value as the Secretary of State may with the consent of the Treasury by order specify; and different limits may be so specified in relation to dwellings falling within subsection (1) above and houses converted as mentioned in subsection (2) above and also in relation to property in different areas.
- (4) For the purposes of this section the rateable value on any day of a dwelling or house shall be determined as follows:—
 - (a) if the dwelling or house is a hereditament for which a rateable value is then shown in the valuation list, it shall be that rateable value;
 - (b) if the dwelling or house forms part only of such a hereditament or consists of or forms part of more than one such hereditament, its rateable value shall

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be taken to be such value as the local authority, after consultation with the applicant as to an appropriate apportionment or aggregation, shall determine.

63 Determination of estimated expense in relation to improvement grant

- (1) Where a local authority approve an application for an improvement grant they shall determine the amount of the expenses which, in their opinion, are proper to be incurred for the execution of the relevant works and shall notify the applicant of that amount; and, in relation to an improvement grant which has been approved, the amount so notified is in this section and section 64 below referred to as " the estimated expense " of the relevant works.
- (2) Not more than 50 per cent., or such other percentage as may for the time being be prescribed, of the estimated expense of any works shall be allowed for works of repair and replacement.
- (3) If the applicant satisfies the local authority that the relevant works cannot be or could not have been carried out without the carrying out of additional works and that this could not have been reasonably foreseen at the time the application was made, the local authority may, subject to subsection (2) above, determine a higher amount as the amount of the estimated expense.

64 Amount of improvement grant

- (1) Subject to the following provisions of this section, the amount of an improvement grant shall be such as may be fixed by the local authority when they approve the application for the grant but shall not exceed the appropriate percentage of the eligible expense.
- (2) Together with the notification under section 63(1) above, the local authority shall send to the applicant a notification of the amount of the grant.
- (3) Except in a case or description of case in respect of which the Secretary of State approves a higher eligible expense, the eligible expense for the purposes of an improvement grant shall be so much of the estimated expense as does not exceed the relevant limit; and, subject to subsections (4) and (7) below, " the relevant limit", in relation to an improvement grant, is the amount for the dwelling, or if the application for the grant relates to more than one dwelling the total of the amounts for each of the dwellings, applicable under the following paragraphs, that is to say—
 - (a) for a dwelling which is improved by the relevant works or is provided by them otherwise than as mentioned in paragraph (b) below, £2,000, or such other amount as the Secretary of State may by order specify; and
 - (b) for a dwelling which is provided by the conversion of a house or other building consisting of three or more storeys, £2,400, or such other amount as the Secretary of State may by order specify.
- (4) A statutory instrument containing an order under subsection (3) above shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.
- (5) If the local authority are satisfied in a particular case that there are good reasons for increasing the amount which, apart from this subsection, would constitute the relevant limit, they may substitute for that amount such higher amount as the Secretary of State may approve; and the approval of the Secretary of State may be given either with respect to a particular case or with respect to any description of case.

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- (6) In any case where, after the amount of an improvement grant has been fixed under subsection (1) above, the local authority, in exercise of their powers under section 63(3) above, substitute a higher amount as the amount of the estimated expense, the eligible expense shall be re-calculated under subsection (3) above and if, on that re-calculation, the amount of the eligible expense is greater than it was at the time when the application was approved,—
- (a) the amount of the improvement grant shall be increased accordingly; and
 - (b) the local authority shall notify the applicant of the increased amount of the grant.
- (7) In any case where—
- (a) an intermediate grant, a repairs grant or a standard grant (within the meaning of Part I of the Housing Act 1969) has been made in respect of a dwelling, and
 - (b) within the period of 10 years beginning on the date on which that grant was paid or, if it was paid by instalments, the date on which the last instalment was paid, an improvement grant is made in respect of that dwelling,
- the amount which, by virtue of subsection (3) above, would otherwise be the relevant limit in relation to the improvement grant shall be reduced by the amount which was the eligible expense for the purposes of the grant referred to in paragraph (a) above or, where that grant was a standard grant (within the meaning of Part I of the Housing Act 1969) by an amount determined by reference to the amount of that grant and the rate at which it was made, namely, twice the amount of the grant where that rate was one-half and one and one-third times the amount of the grant where (by virtue of the Housing Act 1971) that rate was 75 per cent.
- (8) For the purposes of this section, where an improvement grant is to be paid towards the cost of works required for the provision of a dwelling all or part of which is in the basement of a building, the basement shall count as a storey.