



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART IV

SUB-STANDARD HOUSES

The tolerable standard

85 General duty of local authority in respect of houses not meeting tolerable standard

- (1) It shall be the duty of every local authority to secure that all houses in their district which do not meet the tolerable standard are closed, demolished or brought up to the tolerable standard within such period as is reasonable in all the circumstances.
- (2) In determining what period is reasonable for the purposes of subsection (1), regard shall be had to alternative housing accommodation likely to be available for any persons who may be displaced from houses as a result of any action proposed by the local authority in pursuance of that subsection.
- (3) Every local authority shall from time to time cause to be made such a survey or inspection of their district as may be necessary for the performance of the duty imposed on them by subsection (1) or for the purpose of ascertaining the availability of alternative housing accommodation.

86 Definition of house meeting tolerable standard

- (1) Subject to subsection (2), a house meets the tolerable standard for the purposes of this Act if the house—
 - (a) is structurally stable;
 - (b) is substantially free from rising or penetrating damp;
 - (c) has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
 - (d) has an adequate piped supply of wholesome water available within the house;

Status: This is the original version (as it was originally enacted).

- (e) has a sink provided with a satisfactory supply of both hot and cold water within the house;
- (f) has a water closet available for the exclusive use of the occupants of the house and suitably located within the house;
- (g) has an effective system for the drainage and disposal of foul and surface water;
- (h) has satisfactory facilities for the cooking of food within the house;
- (i) has satisfactory access to all external doors and outbuildings;

and any reference to a house not meeting the tolerable standard or being brought up to the tolerable standard shall be construed accordingly.

- (2) The Secretary of State may by order vary or extend or amplify the criteria set out in the foregoing subsection either generally or, after consultation with a particular local authority, in relation to the district, or any part of the district, of that authority.
- (3) This section shall be without prejudice to section 114 (certain underground rooms to be treated as houses not meeting the tolerable standard).

87 Official representation that house does not meet tolerable standard

- (1) The proper officer of the local authority may make an official representation to the authority whenever he is of opinion that any house in their district does not meet the tolerable standard.
- (2) A local authority shall as soon as may be take into consideration any official representation which has been made to them.
- (3) Every representation made in pursuance of this section by the proper officer of the local authority shall be in writing.