



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XIII

LOCAL AUTHORITY GRANTS FOR IMPROVEMENT, REPAIR AND CONVERSION

Improvement grants

240 Conditions for approval of applications for improvement grant other than applications relating exclusively to the provision of standard amenities.

- (1) A local authority shall not approve an application for an improvement grant—
- (a) unless they are satisfied that the owner of every parcel of land on which the improvement works are to be or are being carried out, (other than land proposed to be sold or leased under section [F¹ 12(4)]), has consented in writing to the application and to being bound by any conditions imposed by or under section 246;
 - (b) if the improvement works specified in it have been begun, unless they are satisfied that there were good reasons for beginning the works before the application was approved.
- (2) A local authority shall not approve any such application, other than an application to which section 244 (provision of standard amenities) applies—
- (a) unless, subject to subsection (6), they are satisfied that—
 - (i) the house or houses to which the application for an improvement grant relates will provide satisfactory housing accommodation for such period and conform with such requirements with respect to construction and physical condition and the provision of services and amenities as may be specified for the time being for the purposes of this section by the Secretary of State, and
 - (ii) in a case where the house or houses to which the said application relates is or are comprised in a building containing more than one house, the works to be carried out on the house or houses will not prevent the improvement of any other house in that building;

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation: Housing (Scotland) Act 1987, Section 240 is up to date with all changes known to be in force on or before 31 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) if the application is in respect of the improvement or conversion of a house provided after 15th June 1964, but the Secretary of State may give directions, either generally or with respect to any particular case, as to the waiving of this provision;
- (c) if, subject to subsections (3) to (6), it is made by the owner of the house to which the application relates or by a member of his family and the house or any part thereof is to be occupied by that owner or by a member of his family after completion of the works and—
 - [^{F2}(i) the range of values for the valuation band in which the occupied premises are listed exceeds the range of values for the prescribed valuation band; or
 - (ii) if it is to be provided by the conversion of two or more houses, the aggregate of the middle values of the valuation band in which each of those houses is listed exceeds the highest value of the range of values for the prescribed valuation band:]

Provided that where sub-paragraph (i) applies, a local authority may approve such an application if it is made in relation to a part of the house which after completion of the works will be self-contained and is not to be occupied by the owner or by a member of his family.

- (3) Paragraph (c) of subsection (2) shall not apply—
 - (a) where the house to which the application relates is in a housing action area for improvement declared under section 90 and is listed in the final resolution under section 92(4)(b) or (c) as requiring improvement or integration;
 - (b) where the house to which the application relates is subject to an improvement order made under section 88(1);
 - (c) in relation to an application for an improvement grant for the conversion of a building which does not at the date of the application consist of or include a house; or
 - (d) to a house which is to be occupied by a disabled person (as defined in section 236(3)) in so far as the application is in respect of works which his disability renders necessary if the house is to be suitable for his accommodation, welfare or employment.

[^{F3}(4) In paragraph (c) of subsection (2)—

“middle value”, in relation to a valuation band, means the amount midway between the amount which values in that range must exceed or in the case of valuation band A nothing, and the amount which they must not exceed;

“prescribed valuation band” means such valuation band as the Secretary of State with the consent of the Treasury may prescribe; and different valuation bands may be so prescribed for different cases and for different classes of cases; and a valuation band so prescribed shall be prescribed by order of the Secretary of State made by statutory instrument which shall be subject to annulment by resolution of either House of Parliament; and

references to a valuation band and a range of values shall be construed in accordance with section 74 of the Local Government Finance Act 1992 ^{F4} and are references to those which apply on the date of the application for grant.

- (4A) For the purpose of this section, premises or a house are listed in a particular valuation band if that valuation band is shown as applicable to the premises or house in the

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valuation list compiled in accordance with Part II of the Local Government Finance Act 1992 or section 26 of the Local Government etc. (Scotland) Act 1994 ^{F5}.]

- (5) The Secretary of State may by order made in a statutory instrument which shall be subject to annulment by resolution of either House of Parliament vary the provisions of paragraph (c) of subsection (2).
- (6) The local authority may, with the approval of the Secretary of State, disregard any requirement specified by him under subsection (2)(a)(i) in any case where, in the opinion of the local authority, conformity with that requirement would not be practicable at a reasonable expense.

Textual Amendments

- F1** Figure substituted (*retrospectively*) by Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 72(1), **Sch. 7 para. 10**
- F2** S. 240(2)(c)(i)(ii) substituted (1.4.1996) by S.I. 1996/631, **reg. 2(a)**
- F3** S. 240(4)(4A) substituted (1.4.1996) for s. 240(4) by S.I. 1996/631, **reg. 2(b)**
- F4** 1992 c.14.
- F5** 1994 c.39.

Modifications etc. (not altering text)

- C1** S. 240 continued (1.4.1996) by S.I. 1996/631, **reg. 3**

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