



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART XIII

#### LOCAL AUTHORITY GRANTS FOR IMPROVEMENT, REPAIR AND CONVERSION

##### *Repairs grants.*

#### **248 Repairs grants.**

- (1) Subject to the provisions of this section, where an application for a repairs grant is duly made a local authority—
- shall approve the application in so far as it relates to the execution of works required by a notice under section 108(1) (repair notices); and
  - in so far as it does not so relate, may approve the application in such circumstances as they think fit.

- (2) A local authority shall not approve an application under this section unless they are satisfied that the house to which the application relates will provide satisfactory housing accommodation for such period as they consider reasonable.

- (3) In considering whether or not to approve an application for a repairs grant, a local authority shall have regard to the question whether, in their opinion, the owner would, without undue hardship, be able to finance the expense of the relevant works without the assistance of a repairs grant:

Provided that this subsection shall not apply in any such case as may be prescribed.

- (4) The amount of a repairs grant shall not exceed 50 per cent., or such other percentage as may be prescribed, of the approved expense of the works, but the approved expense shall not exceed £4,800 or such other amount as may be prescribed in respect of each house to which the application relates.

- (5) Sections 237 to 247 (other than sections [F1]242(1), (3), (5) and (7) to (10) and 244) shall apply [F2]in relation to an application for a repairs grant or to] a repairs grant as they apply [F3]in relation to an application for an improvement grant or to] an

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improvement grant, except that for the purposes of the application of section 243(1)(b), for the words “section 242(1) or as the case may be section [F<sup>4</sup>244(7)]” are substituted the words “section 248(4)”:

Provided that section 240(2)(c) shall not apply [F<sup>5</sup>(a)] in relation to an application for a repairs grant in respect of the replacement in a different material of such pipes, cisterns, taps or other equipment used for the supply of water to a house as are wholly or partly made of lead [F<sup>6</sup> (b) in relation to an application for a repairs grant in respect of works intended to reduce exposure to radon gas.]

- (6) References in this section to a house shall, in relation to an application made under this section for a grant in respect of works which are to rectify defects specified in a notice under section 108(1), be construed as including references to premises other than a house; but where such an application relates to such premises—
- (a) the local authority shall not, under subsection (2), approve the application unless they are satisfied that the premises form part of a building which contains a house or houses and that house or, as the case may be, all those houses will provide satisfactory housing accommodation as mentioned in that subsection;
  - (b) subsection (4) shall be construed as if the reference in it to each house were a reference to each of the premises other than a house; and
  - (c) subsection (5) shall be construed as if the enactments excepted by that subsection included sections 240(2) to (6), 246(1), (2), (3), and (5) to (10) [F<sup>7</sup>and 247].
- (7) A case that is prescribed under the proviso to subsection (3) shall be prescribed by order of the Secretary of State made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) The percentage of the approved expense that may be prescribed under subsection (4) shall be prescribed by order of the Secretary of State made with the consent of the Treasury.
- (9) An order made under subsection (8) shall be made by statutory instrument and shall not be made unless a draft has been laid before and approved by resolution of the House of Commons.
- (10) The maximum approved expense that may be prescribed under subsection (4) shall be prescribed by order of the Secretary of State made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- [F<sup>8</sup>(11) An order under this section may make different provision with respect to different cases or descriptions of case.]

#### Textual Amendments

- F1** Words substituted (*retrospectively*) by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\), s. 72\(1\), Sch. 7 para. 14\(a\)](#)
- F2** Words substituted by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\), s. 72\(1\), Sch. 8 para. 6\(a\)\(i\)](#)
- F3** Words substituted by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\), s. 72\(1\), Sch. 8 para. 6\(a\)\(ii\)](#)
- F4** Figure substituted (*retrospectively*) by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\), s. 72\(1\), Sch. 7 para. 14\(a\)\(ii\)](#)
- F5** S. 248: Words in the proviso to subsection (5) inserted (27.9.1993) by [1993 c. 28, s. 157\(4\)\(a\); S.I. 1993/2163, art. 2, Sch. 1.](#)

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- F6** S. 248: para. (b) in the proviso to subsection (5) added (27.9.1993) by 1993 c. 28, s. 157(4)(b); S.I. 1993/2163, art. 2, **Sch. 1**.
- F7** Words added (*retrospectively*) by Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 72(1), **Sch. 7 para. 14(b)**
- F8** S. 248(11) added by Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 72(1), **Sch. 8 para. 6(b)**

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