



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XV

COMPENSATION PAYMENTS

Payments for well-maintained houses

305 Payments in respect of well-maintained houses subject to compulsory purchase as not meeting the tolerable standard

- (1) Where as respects a house which is made the subject of a compulsory purchase order under Part IV as not meeting the tolerable standard, the local authority are satisfied that it has been well maintained, they shall make a payment calculated in accordance with section 306 in respect of the house.
- (2) A payment under this section shall be made—
 - (a) if the house is occupied by an owner thereof, to him, or
 - (b) if the house is not so occupied, to the person or persons liable to maintain and repair the house, and, if more than one person is so liable, in such shares as the local authority think equitable in the circumstances:

Provided that, if any other person satisfies the local authority that the good maintenance of the house is attributable to a material extent to work carried out by him or at his expense, the authority may, if it appears to them to be equitable in the circumstances, make the payment, in whole or in part to him.

- (3) The local authority shall, along with the notice which they serve on any person under paragraph 3(b) of Schedule 1 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 in respect of the compulsory purchase of a house under Part IV, enclose a notice stating, subject to the calculation to be made under section 306, whether or not they intend to make a payment under this section in respect of the house.
- (4) Any person aggrieved by a notice under subsection (3) which states that the local authority do not intend to make a payment under this section in respect of a house may, within 21 days of service on him of that notice, refer the matter to the Secretary

Status: This is the original version (as it was originally enacted).

of State; and the Secretary of State may, if he thinks it appropriate to do so (after, if he considers it necessary, causing the house to be inspected by one of his officers), direct the local authority to make such a payment.