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STATUTORY INSTRUMENTS

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**1989 No. 72**

**HOUSING, ENGLAND AND WALES**

**The Grants by Local Housing Authorities (Appropriate Percentage and Exchequer Contributions) Order 1989**

*Made* - - - - *18th January 1989*  
*Coming into force* - - *19th January 1989*

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 509(1) and (2) and 517(1) and (2) of the Housing Act 1985<sup>(1)</sup>, and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Order, a draft of which has been laid before, and has been approved by resolution of, the House of Commons:

**Citation, commencement and application**

1.—(1) This Order may be cited as the Grants by Local Housing Authorities (Appropriate Percentage and Exchequer Contributions) Order 1989 and shall come into force on the day after the day on which it is made.

(2) This Order applies to applications for intermediate and repairs grants made on or after the day on which it comes into force.

**Appropriate percentage for intermediate or repairs grants**

2.—(1) Subject to paragraph (4), in relation to an application for an intermediate grant in respect of a dwelling which is let or is to be let or available for letting, the appropriate percentage is 20 per cent.

(2) Subject to paragraph (4), in relation to an application for a repairs grant where –

- (a) the relevant works include works required by a notice under section 189 or 190 (repair notices) of the Housing Act 1985 and the local housing authority are satisfied that the works are necessary for compliance with the notice; and
- (b) the dwelling in respect of which the application is made is let or is to be let or is available for letting,

the appropriate percentage is 20 per cent.

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(1) 1985 c. 68.

(3) Subject to paragraph (4), in relation to an application for an intermediate grant or for a repairs grant to which paragraph (1) or (2) does not apply, the appropriate percentage is 75 per cent.

(4) In relation to an application for an intermediate or repairs grant, where it appears to the local housing authority that the applicant would not without undue hardship be able to finance so much of the cost of the relevant works as is not met by the grant, the appropriate percentage shall be 90 per cent.

### **Contributions by the Secretary of State**

3. With respect to applications for intermediate grant or repairs grant, the percentages specified in subsection (3) of section 516 of the Housing Act 1985 are varied in the following descriptions of cases –

- (a) in paragraph (a), by the substitution of 75 per cent in respect of cases to which article 2(1) or 2(2) applies;
- (b) in paragraph (b), by the substitution of 90 per cent in respect of cases to which article 2(3) or 2(4) applies.

10th January 1989

*Nicholas Ridley*  
Secretary of State for the Environment

16th January 1989

*Peter Walker*  
Secretary of State for Wales

We consent,

18th January 1989

*David Lightbown*  
*David Maclean*  
Two of the Lords Commissioners of Her Majesty's Treasury.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Grants by local housing authorities for the improvement or repair of a dwelling are made under Part XV of the Housing Act 1985. The amount or the maximum amount of grant is the appropriate percentage of the estimated expense of the relevant works which is eligible to be taken into account.

Article 2 of the Order prescribes the appropriate percentage for intermediate or repairs grant in different descriptions of case.

Section 516 of the Act enables the Secretary of State to make contributions towards the expense incurred by an authority in making a grant. The contributions are equal to a percentage of the notional annual loan charges referable to the amount of the grant. Article 3 varies the percentages by reference to the cases described in article 2.

Orders still in force which apply where application for intermediate or repairs grant was made before the date this Order comes into force are S.I.1982/581, 1763, 1987/1379 and 1988/1475.