
STATUTORY INSTRUMENTS

1997 No. 2764

HOUSING, ENGLAND AND WALES

The Relocation Grants Regulations 1997

Made - - - - *20th November 1997*
Laid before Parliament *25th November 1997*
Coming into force - - *16th December 1997*

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 132(2)(c) and 134(2) to (4) and (6) to (9) of the Housing Grants, Construction and Regeneration Act 1996⁽¹⁾, and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Relocation Grants Regulations 1997 and shall come into force on 16th December 1997.

(2) In these Regulations, “the Act” means the Housing Grants, Regeneration Act 1996.

Applications for relocation grant

2. It is a condition of payment of relocation grant that the local Construction and housing authority determine that the qualifying dwelling to which the application relates is reasonably suitable having regard to the housing needs of the applicant or the member of his family who intends to live in the dwelling and any other person who might reasonably be expected to reside with the applicant or that member of his family.

Maximum amount

3. The amount of any relocation grant shall not exceed £20,000.

Amount of relocation grant: prescribed part

4. For the purposes of section 134(3)(b) (relocation grants: amount) of the Act, the prescribed part of the amount which has been, or is to be, paid by the local housing authority in respect of the acquisition of the applicant’s interest in the original dwelling is the aggregate of—

(1) 1996 c. 53; see section 140 for the definition of “prescribed”.

- (a) any amount payable pursuant to section 290 (acquisition of land for clearance) of the Housing Act 1985(2) or section 154 (effect of valid blight notice) of the Town and Country Planning Act 1990(3); and
- (b) any amount payable under section 29 (right to home loss payment where person displaced from dwelling) of the Land Compensation Act 1973(4).

Means test

5. The provisions of the Housing Renewal Grants Regulations 1996(5) as they have effect from time to time shall apply, with the modifications prescribed in regulation 6, in respect of—

- (a) the determination, for the purposes of section 134(4) of the Act, of any reduction in the amount of relocation grant payable and of the amount which is to be taken to be the financial resources of an applicant;
- (b) the determination of the applicable amount referred to in section 134(4) of the Act;
- (c) the circumstances in which the financial resources of an applicant are to be assumed not to exceed the applicable amount; and
- (d) the furnishing of information needed for the determination of matters under section 134 of the Act.

Modifications to the Housing Renewal Grants Regulations

6.—(1) The modifications to the Housing Renewal Grants Regulations 1996 referred to in regulation 5 are as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) in the definition of “application”, for “an application within section 30(1), other than a landlord’s application for a disabled facilities grant”, substitute “an application within section 132 of the Act”;
 - (b) after the definition of “occupational pension”, insert ““original dwelling” has the same meaning as in section 133 of the Act;” and
 - (c) after the definition of “polygamous marriage”, insert ““qualifying dwelling” has the meaning given in section 133(2) of the Act;”
- (3) Omit regulations 3 (persons from abroad) and 4 (landlords applications: power for local housing authorities to obtain information from pension fund holders).
- (4) For—

“PART II

MEANS TEST FOR OWNER-OCCUPIER'S AND TENANT'S APPLICATIONS”

substitute—

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- (2) 1985 c. 68
 - (3) 1990 c. 8.
 - (4) 1973 c. 26. Section 29 was amended by the Land Compensation (Scotland) Act 1973 (c. 56), section 81(1) and Schedule 2, the Housing Act 1974 (c. 44), Schedule 13, the Housing and Rent Subsidies Act 1975 (c. 6), Schedule 5, the Rent Act 1977 (c. 42), section 155 and Schedule 23, the Housing (Consequential Provisions) Act 1985 (c. 71), paragraph 23 of Schedule 2, the Housing and Planning Act 1986 (c. 63), section 9, the Local Government and Housing Act 1989 (c. 42), Schedule 12, the Planning and Compensation Act 1991 (c. 34), section 68(1) and (2) and Schedule 15 and the Housing Act 1996 (Consequential Provisions) Order 1996 (S.I. 1996/2325), paragraph 3 of Schedule 2.
 - (5) S.I. 1996/2890, amended by S.I. 1996/3119 and 1997/977.

“PART II MEANS TEST”.

- (5) In regulation 5 (definition of relevant person)—
- (a) for paragraph (1), substitute—

“(1) Subject to paragraph (3), in respect of any one application, a relevant person is any person who—

 - (a) is an applicant, or
 - (b) is not an applicant but is entitled to make the application and intends to live in the qualifying dwelling to which the application relates,

provided that a young person shall not be a relevant person except where he is the only applicant.”;
 - (b) omit paragraph (2); and
 - (c) in paragraph (3), omit “, or any of sub-paragraphs (a), (b) and (c) of paragraph (2),”.
- (6) In regulation 12 (reduction in amount of grant)—
- (a) in paragraph (1), omit “which is accompanied by an owner-occupation certificate”;
 - (b) omit paragraph (2).
- (7) Omit regulation 13 (successive applications).
- (8) In regulation 3 1 (notional income)—
- (a) omit paragraph (11); and
 - (b) in paragraph (12), omit “and (11)”.
- (9) In regulation 40(1) (determination of tariff income from capital), for “£5,000” in both places where it occurs, substitute “£3,000”.
- (10) Omit regulation 48 (application of regulations).
- (11) In Schedule 4 (capital to be disregarded)—
- (a) for paragraph 1, substitute—

“**1.** Any amount payable under section 37(6) of the Land Compensation Act 1973 to the relevant person in respect of the original dwelling to which the application relates.”; and
 - (b) in paragraph 4(1)—
 - (a) after “the proceeds of sale of” insert “, or any amount payable pursuant to section 290 of the Housing Act 1985 or section 154 of the Town and Country Planning Act 1990 or under section 29 of the Land Compensation Act 1973 in respect of the acquisition of,”; and
 - (b) in sub-paragraph (a), for “dwelling or building” substitute “qualifying dwelling”; and
 - (c) in sub-paragraph (b), for “that”, substitute “the qualifying dwelling”.

(6) Section 37 was amended by the Land Compensation (Scotland) Act 1973, section 81(1) and Schedule 2, the Housing Act 1974, Schedule 13, the Housing Rents and Subsidies Act 1975, Schedule 5, the Housing (Consequential Provisions) Act 1985, Schedule 1 and paragraph 23 of Schedule 2, the Local Government and Housing Act 1989, paragraph 31 of Schedule 11 and Schedule 12 and the Housing Act 1996 (Consequential Provisions) Order 1996, paragraph 3 of Schedule 2.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for the Environment

14th November 1997

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

Signed by authority of the Secretary of State for Wales

18th November 1997

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

We consent,

20th November 1997

Jim Dowd
John McFall
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This is not part of the Regulations)

Regulation 2 prescribes as a condition for the payment of relocation grant that the dwelling which the applicant proposes to acquire with the aid of grant is reasonably suitable having regard to his housing needs or those of the member of his family who intends to live in the dwelling.

Regulation 3 prescribes £20,000 as the maximum amount of a relocation grant.

Regulation 4 prescribes as the part of the amount paid by the local housing authority in respect of the acquisition of the applicant's interest in the original dwelling to be taken into account for the purposes of section 134(3)(b) of the Housing Grants, Construction and Regeneration Act 1996 the aggregate of any amount payable pursuant to section 290 of the Housing Act 1985 or section 154 of the Town and Country Planning Act 1990 and any amount payable under section 29 of the Land Compensation Act 1973.

Regulation 5 applies the means test in the Housing Renewal Grants Regulations 1996 to the calculation of the amount of a relocation grant, subject to the modifications set out in regulation 6.

Regulation 6 modifies the means test contained in the 1996 Regulations by omitting regulations 3 (persons from abroad) and 4 (landlords applications: power for local housing authorities to obtain information from pension fund holders), by amending regulation 40(1) (determination of tariff income from capital) and by amending Schedule 4 (capital to be disregarded) as well as making other, minor drafting changes.