



Housing Act 1957

1957 CHAPTER 56

PART V

PROVISION OF HOUSING ACCOMMODATION

Management, &c, of local authority's houses

111 General responsibility for local authority's houses

- (1) The general management, regulation and control of houses provided by a local authority under this Part of this Act shall be vested in and exercised by the authority, and the authority may make such reasonable charges for the tenancy or occupation of the houses as they may determine.
- (2) Without prejudice to the foregoing provisions of this section, any such house shall be at all times open to inspection by the local authority of the district in which it is situate, or by any officer duly authorised by them.

112 Byelaws for regulation of local authority's houses

- (1) A local authority may make byelaws for the management, use and regulation of houses provided by them.
- (2) A local authority shall as respects lodging-houses provided by them (that is to say, houses not occupied as separate dwellings) by byelaws make sufficient provision for the following purposes—
 - (a) for securing that the lodging-houses shall be under the management and control of the officers, servants or others appointed or employed in that behalf by the local authority,
 - (b) for securing due separation at night of men and boys above eight years old from women and girls,
 - (c) for preventing damage, disturbance, interruption and in decent and offensive language and behaviour and nuisances,

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- (d) for determining the duties of the officers, servants and others appointed by the local authority,
and a printed copy or a sufficient abstract of the byelaws relating to lodging-houses shall be put up and at all times kept in every room therein.
- (3) The Minister shall be the confirming authority as respects byelaws made under this section.
- (4) The provisions of section two hundred and seventy-seven of the Public Health (London) Act, 1936, shall apply to byelaws under this section as respects the City of London.

113 Conditions to be observed in management of local authority's houses

- (1) A local authority shall, in relation to all the houses and dwellings in respect of which they are required to keep a Housing Revenue Account, observe the requirements specified in the following provisions of this section.
- (2) The local authority shall secure that in the selection of their tenants a reasonable preference is given to persons who are occupying insanitary or overcrowded houses, have large families or are living under unsatisfactory housing conditions.
- (3) The local authority may grant to any tenants such rebates from rent, subject to such terms and conditions, as they may think fit.
- (4) The local authority shall from time to time review rents and make such changes, either of rents generally or of particular rents, and rebates (if any) as circumstances may require.
- (5) The local authority shall make it a term of every letting that the tenant shall not assign, sub-let or otherwise part with the possession of the premises, or any part thereof, except with the consent in writing of the authority, and shall not give such consent unless it is shown to their satisfaction that no payment other than a rent which is in their opinion a reasonable rent has been, or is to be, received by the tenant in consideration of the assignment, sub-letting or other transaction.
- (6) The conditions contained in section three of the Housing (Rural Workers) Act, 1926, shall not have effect in relation to dwellings to which the requirements of this section apply.

114 Reservation of houses for agricultural population

- (1) Where—
- (a) any annual exchequer subsidies under the Housing Subsidies Act, 1956, increased under subsection (1) of section four of that Act (which provides for increased subsidies for housing provided for the agricultural population), or
- (b) any annual exchequer contributions under the Housing (Financial and Miscellaneous Provisions) Act, 1946, the amount of which has been determined on the assumption that the houses in respect of which they are payable were provided by way of housing accommodation required for the agricultural population, or
- (c) any contributions under section two of the Housing (Financial Provisions) Act, 1938 (which provided for a special rate of contribution for housing accommodation required for the agricultural population),

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are payable to the council of a county district, the council shall secure that a number of houses equal to the number of houses in respect of which such subsidies or contributions are payable to the council is reserved for members of the agricultural population, except in so far as the demand for housing accommodation in the district on the part of members of the agricultural population can be satisfied without such reservation.

- (2) Where a county council have undertaken to make contributions to a local authority under subsection (2) of section one hundred and fifteen of the Housing Act, 1936, or are required by subsection (3) of that section to make contributions to the local authority, the local authority shall secure that a number of houses equal to the number of those in respect of which the contributions are payable are reserved for members of the agricultural population, except in so far as the demand for housing accommodation in the district of the authority on the part of members of the agricultural population can be satisfied without such reservation.
- (3) Where a local authority have received assistance under section one of the Housing (Rural Workers) Act, 1926, or the Minister has undertaken to pay a contribution to a local authority under subsection (2A) of section four of that Act, the local authority shall secure that a number of houses or dwellings equal to the number of those in respect of which they have received such assistance, or in respect of which such an undertaking has been given, are reserved for such persons as are mentioned in paragraph (a) of subsection (1) of section three of that Act except in so far as the demand for housing accommodation in the district of the authority on the part of such workers can be satisfied without such reservation.
- (4) The conditions contained in section three of the Housing (Rural Workers) Act, 1926, shall not have effect in relation to dwellings to which the requirements of subsection (2) or subsection (3) of this section apply.
- (5) For the purposes of this section,—
 - the expression " agricultural population " means persons whose employment or latest employment is or was employment in agriculture or in an industry mainly dependent upon agriculture, and includes also the dependents of such persons as aforesaid ;
 - the expression " agriculture " includes dairy-farming and poultry-farming and the use of land as grazing, meadow or pasture land, or orchard or osier land, or woodland, or for market gardens or nursery grounds.

115 Power to establish Housing Management Commissions

- (1) Where it appears to a local authority to be expedient that a Housing Management Commission should be established with a view to the transfer to and the performance by the Commission of all or any of the functions of the authority under the enactments relating to housing with respect to the management, regulation and control, and the repair and maintenance, of houses and other buildings or land provided in connection therewith, the authority shall prepare and submit to the Minister a scheme making provision for the establishment of the Commission, and for the incorporation thereof, under the name of the Housing Management Commission with the addition of the name of the district of the local authority, with perpetual succession and a common seal, and power to hold land for the purposes of their constitution without licence in mortmain.

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- (2) A scheme submitted as aforesaid may make provision with respect to the constitution, procedure and functions of the Commission and in particular, but without prejudice to the generality of the foregoing words, may make provision—
- (a) as to the mode of appointment and term of office of the members of the Commission ;
 - (b) as to the payment of remuneration out of funds under the control of the Commission to the chairman of the Commission, where he is not a member of the local authority or of any committee or sub-committee of the local authority or as a representative of the local authority on a joint committee appointed by agreement between them and another body ;
 - (c) as to the employment by the Commission of officers and staff and the remuneration out of funds under the control of the Commission and the superannuation of persons so employed;
 - (d) as to the financial relations between the local authority and the Commission;
 - (e) for conferring on the local authority power to defray temporarily on behalf of the Commission any of their expenses;
 - (f) for making the accounts of the Commission subject to audit by a district auditor or otherwise ;
 - (g) for determining what property is to be vested in the Commission, and for what estate or interest, and whether by way of transfer of the estate or interest of the local authority or of the creation of a lesser estate or interest or otherwise, and the manner in which that vesting is to be effected, and as to the re-vesting of property in the local authority in the event of the dissolution of the Commission or in other circumstances; and
 - (h) for imposing on the Commission the duty to consult the Central Housing Advisory Committee as respects any matter specified in the scheme.
- (3) The provisions of section one hundred and fifty of, and the Fourth Schedule to, the Local Government Act, 1933 (which relate to the transfer and compensation of officers of a local authority affected by a scheme or order under Part VI of that Act), shall have effect in relation to a scheme submitted under this section as they have effect in relation to a scheme or order under the said Part VI, and as if references therein to a local authority included references to the Commission.
- (4) A scheme submitted under this section may provide for the application with necessary modifications of the enactments (including schemes) governing the superannuation of persons employed by the local authority for the purposes of the superannuation of persons employed by the Commission as if they had been persons employed by the local authority and as if employment by the Commission had been employment by the local authority.
- (5) The Minister may approve a scheme submitted to him under this section with or without modifications, and any such scheme when approved by the Minister shall have effect as from such date as may be specified therein and may be amended by a further scheme submitted by the local authority and approved by the Minister.
- (6) Unless the scheme makes provision for making the accounts of the Commission subject to audit by a district auditor, no person shall be qualified to be appointed as auditor of those accounts unless he is a member of one or more of the following bodies, namely:—
- The Institute of Chartered Accountants in England and Wales ;
 - The Society of Incorporated Accountants;

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The Institute of Chartered Accountants in Scotland ;
The Association of Certified and Corporate Accountants.