



# Housing Act 1964

## 1964 CHAPTER 56

### PART III

#### ASSISTANCE FOR IMPROVEMENT OF DWELLINGS

##### *Standard grants and Minister's contributions to local authorities for provision of standard amenities*

#### **45 Standard grants for provision of amenities below full standard**

(1) An application may be made under section 4 of the Act of 1959 (grants for provision of standard amenities) proposing the carrying out of works which comprise the provision of part only of the standard amenities mentioned in that section notwithstanding that the dwelling is not already provided with all the remainder of those standard amenities if—

- (a) the application contains a statement that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, and
- (b) after the execution of the works the dwelling will be provided with at least the amenities comprised in the reduced standard as defined in section 43(5) of this Act,

and the application gives the facts on which the statement is based; and so much of section 4(3) of the Act of 1959 as requires a statement that the remaining amenities are already provided shall not apply.

(2) The local authority shall not approve the application unless they are satisfied as to the matters mentioned in paragraphs (a) and (b) of the foregoing subsection, and section 5(1) of the Act of 1959 (which requires the authority to approve an application in the circumstances there specified) shall have effect accordingly ; and if the local authority are not satisfied as to the matters mentioned in paragraphs (a) and (b) of the foregoing subsection, and the applicant on being notified of their decision so requests, the local authority shall give to the applicant a written statement setting out their reasons for making their decision.

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- (3) In considering an application which states that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, the local authority shall have regard to the estimated cost of the works which would be required to provide the dwelling with all the standard amenities and the value which it is estimated that the dwelling (or the building of which the dwelling forms part) would have if works to provide the dwelling with all the standard amenities were carried out.
- (4) In the application of this section to Scotland, for the references to section 4, section 4(3) and section 5(1) of the Act of 1959 there shall be substituted respectively references to section 19, section 19(3) and section 20(1) of that Act.

#### **46 Amount of standard grant**

- (1) The amount of a standard grant shall, subject to this section, be one half of the cost shown to have been incurred in executing the works in respect of which it is made.
- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the foregoing subsection.
- (3) Subject to this section, there shall be a limit on the amount of a standard grant determined in accordance with the following Table, and the limit shall depend on the number of items in the following Table which will be provided by the works and shall be the total of the amounts specified in column 2 of that Table for those items or £350, whichever is the less.

TABLE

<i>List of amenities</i>	<i>Amount allowed towards limit</i>
A fixed bath or shower in a bathroom or elsewhere.	£25 or, if the bathroom is being provided by the building of a new structure or the conversion of outbuildings attached to the dwelling (or to the building of which the dwelling forms part) and, before the time when the local authority approve the application, they have been satisfied that it is not reasonably practicable to provide the bathroom in any other way, such higher amount as the local authority shall fix at that time as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the provision of the fixed bath or shower.
A wash-hand basin	£5
A hot and cold water supply at a fixed bath or shower.	£35

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<i>List of amenities</i>	<i>Amount allowed towards limit</i>
A hot and cold water supply at a wash-hand basin.	£15
A hot and cold water supply at a sink.	£25
A water closet	£40 or if the works comprise the installation of a septic tank and, before the time when the local authority approve the application, they have been satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable, such higher amount as the local authority shall fix at that time as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the provision of the water closet.
Facilities for storing food	£10
If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time.	Such amount as the local authority shall fix at the time when they approve the application as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the bringing of the piped supply into the dwelling.

- (4) The local authority shall, when they approve the application, inform the applicant of any decision taken by them under the Table fixing a higher amount in respect of the cost attributable to the provision of a fixed bath or shower, or of a water closet, or fixing any amount in respect of the cost of bringing a piped supply of cold water into the dwelling.
- (5) In determining the limit the amount specified for any item in the Table shall not be brought in more than once, and no account shall be taken of any amenity provided by the works if, at the time when the works were begun, the dwelling was provided with an amenity of that kind unless part of the cost incurred in executing the works is attributable to interference with or replacement of that amenity and the local authority are satisfied that it would not have been reasonably practicable to avoid the interference or replacement.
- (6) References in this section to the cost incurred in executing or carrying out works shall include references to the cost of the employment in connection with the works of an architect, engineer, surveyor, land agent or other person in an advisory or supervisory capacity.
- (7) The Minister may by order vary the provisions of subsections (3), (4) and (5) of this section in any respect.

An order under this subsection—

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- (a) may contain such transitional or other supplemental provisions as appear to the Minister to be expedient,
  - (b) may be varied or revoked by a subsequent order, and
  - (c) shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) The provisions of this section shall have effect as respects any application made under section 4 of the Act of 1959 after the coming into force of this section, and in substitution for the provisions of section 6 of the Act of 1959.
- (9) In the application of this section to Scotland—
- (a) in subsection (6), for the words from " the cost of the employment " to the end there shall be substituted the words " fees payable to professional persons employed in connection with those works ";
  - (b) in subsection (7), for the references to the Minister there shall be substituted references to the Secretary of State, and
  - (c) in subsection (8), for the references to section 4 and section 6 of the Act of 1959 there shall be substituted respectively references to section 19 and section 21 of that Act.

#### **47 Standard grants for provision of amenities in accordance with Part II of Act**

- (1) This section shall apply as respects works to be carried out in compliance with an improvement notice served, or an undertaking accepted, under Part II of this Act.
- (2) The form of an application under section 4 of the Act of 1959 as respects the works shall be such as the local authority may direct, and section 4(4) of the Act of 1959 (under which the applicant must state that he is the occupier or that the occupier has given his consent to the application) shall not apply to the application.
- (3) If the works comprise the provision of a fixed bath or shower in a bathroom which is for the use of the occupants of more than one dwelling in a tenement block, the said section 4 shall apply in relation to the bathroom as if subsection (1) of that section did not require the standard amenities to be for the exclusive use of the occupants of a dwelling.

An order under the said section 4 may amend or repeal any of the provisions of this subsection.

- (4) In the application of this section to Scotland—
  - (a) in subsection (2), for the references to section 4 and section 4(4) of the Act of 1959 there shall be substituted respectively references to section 19 and section 19(4) of that Act;
  - (b) subsection (3) shall not apply.

#### **48 Standard grants excluded for certain houses and other buildings in multiple occupation**

- (1) Section 4 of the Act of 1959 so far as it relates to applications made by virtue of section 45 of this Act shall not apply to an application made in respect of a dwelling which is or forms part of a house or building in respect of which the local authority are satisfied that they have power to serve a notice under section 15 of the Act of 1961

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(which, as extended by section 21 of that Act, relates to the execution of works in houses and buildings in a state not suitable for multiple occupation).

- (2) In the application of this section to Scotland, for the reference to section 4 of the Act of 1959 there shall be substituted a reference to section 19 of that Act.

#### **49 Amendment of list of standard amenities**

- (1) For section 4(1)(c) of the Act of 1959 (which, as amended by section 30(2) of the Act of 1961, includes in the standard amenities a hot water supply at a bath or shower, a wash-hand basin and a sink) there shall be substituted the following paragraphs—
- “(c) a hot and cold water supply at a fixed bath or shower which, if reasonably practicable, is to be in a bathroom ;
  - (cc) a hot and cold water supply at a wash-hand basin ;
  - (ccc) a hot and cold water supply at a sink”.

This subsection shall have effect as respects applications made under the said section 4 after the commencement of this Act.

- (2) Subject to this section, the fixed bath or shower mentioned in section 4(1)(a) of the Act of 1959 may, if it is not reasonably practicable for it to be provided in a bathroom, but it is reasonably practicable for it to be provided with a hot and cold water supply, be in a part of the dwelling which is not a bathroom or bedroom.
- (3) This section shall not have effect so as to require a local authority to accept an application under the said section 4 as respects works which include the provision of a fixed bath or shower in a part of a dwelling which is- not a bathroom unless the works are to be carried out in compliance with an improvement notice served, or an undertaking accepted, under Part II of this Act.
- (4) An order under the said section 4 may amend or repeal any of the provisions of this section.
- (5) In the application of this section to Scotland, for the references to section 4, section 4(1)(a) and section 4(1)(c) of the Act of 1959 there shall be substituted respectively references to section 19, section 19(1)(a) and section 19(1)(c) of that Act, and for the reference to section 30(2) of the Act of 1961 there shall be substituted a reference to section 17(1) of the Act of 1962.

#### **50 Minister's contributions to local authorities under s. 13 of Act of 1959**

- (1) An application may be made under section 13 of the Act of 1959 (contributions in respect of standard amenities provided by local authorities) proposing the carrying out of works which comprise the provision of part only of the standard amenities notwithstanding that the dwelling is not already provided with all the remainder of those standard amenities if—
- (a) the application contains a statement that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, and
  - (b) after the execution of the works the dwelling will be provided with at least the amenities comprised in the reduced standard as defined in section 43(5) of this Act,

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and the application gives the facts on which the statement is based; and so much of section 13(2) of the Act of 1959 as requires the application to state that the dwelling is already provided with the remaining amenities shall not apply.

- (2) The Minister shall not approve the application unless satisfied as to the matters mentioned in paragraphs (a) and (b) of the foregoing subsection, and notwithstanding section 13(3) of the Act of 1959 (which requires the Minister to approve an application in the circumstances there specified) the Minister may approve or refuse the application as he thinks fit.
- (3) In considering an application which states that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, the Minister shall have regard to the estimated cost of the works which would be required to provide the dwelling with all the standard amenities and the value which it is estimated that the dwelling (or the building of which the dwelling forms part) would have if works to provide the dwelling with all the standard amenities were carried out.
- (4) This section shall not apply to Scotland.

## 51 Amount of Minister's contributions under s. 13 of Act of 1959

- (1) A contribution under section 13 of the Act of 1959 shall be a sum payable annually for the twenty financial years beginning with the year in which the works in respect of which it is made are completed, equal to three-eighths of the annual loan charges referable to the amount specified in the following provisions of this section.

The said amount shall, subject to this section, be the cost shown to have been incurred in executing the works in respect of which the contribution is made.

- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the Minister, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the foregoing subsection.
- (3) Subject to this section, there shall be a limit on the amount of such a contribution determined in accordance with the following Table, and the limit shall depend on the number of items in the following Table which will be provided by the works and shall be the total of the amounts specified in column 2 of that Table for those items or £700, whichever is the less.

TABLE

<i>List of amenities</i>	<i>Amount allowed towards limit</i>
A fixed bath or shower in a bathroom or elsewhere.	£50 or, if the bathroom is being provided by the building of a new structure or the conversion of outbuildings attached to the dwelling (or to the building of which the dwelling forms part) and the Minister is satisfied that it is not reasonably practicable to provide the bathroom in any other way, such higher amount, not being more than the part of the cost of executing the works which is attributable to the

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<i>List of amenities</i>	<i>Amount allowed towards limit</i>
	provision of the fixed bath or shower, as the Minister may determine.
A wash-hand basin	£10
A hot and cold water supply at a fixed bath or shower.	£70
A hot and cold water supply at a wash-hand basin.	£30
A hot and cold water supply at a sink.	£50
A water closet	£80 or if the works comprise the installation of a septic tank and the Minister is satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable, such higher amount, not being more than the part of the cost of executing the works which is attributable to the provision of the water closet, as the Minister may determine.
Facilities for storing food	£20
If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time.	Such amount, if any, not being more than the part of the cost of executing the works which is attributable to the bringing of the piped supply into the dwelling, as the Minister may determine.

- (4) In determining the limit the amount specified for any item in the Table shall not be brought in more than once, and no account shall be taken of any amenity provided by the works if, at the time when the works were begun, the dwelling was provided with an amenity of that kind unless part of the cost incurred in executing the works is attributable to interference with or replacement of that amenity and the Minister is satisfied that it would not have been reasonably practicable to avoid the interference or replacement.
- (5) References in this section to the cost incurred in executing or carrying out works shall, where the local authority employ a person who is not one of their officers as an architect, engineer, surveyor, land agent or other person in an advisory or supervisory capacity in connection with the works, include the cost of his employment for that purpose.
- (6) The Minister may by order contained in a statutory instrument vary the provisions of subsections (3) and (4) of this section in any respect and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) The Minister may by order contained in a statutory instrument reduce, as respects applications approved after such date as may be specified in the order, the proportion of the said annual loan charges, but not below one-third.

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An order under this subsection—

- (a) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament;
- (b) shall not specify a date earlier than the date of the laying of the draft;

and before laying such a draft the Minister shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appear to him to be desirable.

(8) An order under this section—

- (a) may contain such transitional or other supplemental provisions as appear to the Minister to be expedient, and
- (b) may be varied or revoked by subsequent order.

(9) Section 29(3) of the Act of 1959 (which defines the annual loan charges referable to any amount) shall apply for the purposes of this section as it applies for the purposes of that Act.

(10) The provisions of this section shall have effect as respects any application made under section 13 of the Act of 1959 after the coming into force of this section, and in substitution for the provisions of section 14 of the Act of 1959.

(11) This section shall not apply to Scotland.

**52      Standard grants and Minister's contributions for dwellings provided after 1944 in England and Wales**

(1) In section 4(6) and section 13(5) of the Act of 1959 (which restrict standard grants and contributions by the Minister under the said section 13 for dwellings provided after 1944 to cases where the dwelling was provided by a conversion before the end of 1958 of a pre-1945 building) for the words " the end of the year 1958 " there shall be substituted the words " 3rd October 1961 ".

(2) This section shall not apply to Scotland.