



Housing Act 1974

1974 CHAPTER 44

PART VII

FINANCIAL ASSISTANCE TOWARDS WORKS OF IMPROVEMENT, REPAIR AND CONVERSION

Intermediate grants

65 Intermediate grants

- (1) A local authority shall pay an intermediate grant if—
 - (a) an application for such a grant, made in accordance with this Part of this Act, is approved by them; and
 - (b) the conditions for the payment of the grant are fulfilled.
- (2) An application for an intermediate grant shall—
 - (a) specify the standard amenity or amenities which it is intended to provide by the relevant works ; and
 - (b) if some only of the standard amenities are specified as mentioned in paragraph (a) above, state whether the dwelling is already provided with the remainder; and
 - (c) contain a statement, with respect to each of the standard amenities specified as mentioned in paragraph (a) above, whether, to the best of the knowledge and belief of the applicant, the dwelling has been without that amenity for a period of not less than 12 months ending with the date on which the application is made.
- (3) A local authority shall not approve an application for an intermediate grant unless they are satisfied, with respect to each of the standard amenities specified as mentioned in subsection (2)(a) above, either—
 - (a) that the dwelling concerned, except in the case of a registered disabled person when this subsection shall not apply, has been without the amenity in question for a period of not less than 12 months ending with the date on which the application is made; or

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- (b) that the dwelling is provided with the amenity in question on the date of the application but the relevant works, exclusive of those for the provision of that amenity, involve interference with or replacement of that amenity and it would not be reasonably practicable to avoid the interference or replacement.

66 Approval of application for intermediate grant conditional on dwellings attaining a particular standard

- (1) A local authority shall not approve an application for an intermediate grant unless they are satisfied that, on completion of the relevant works, the dwelling or, as the case may be, each of the dwellings to which the application relates will attain the full standard or, if any of subsections (3) to (5) below applies, the reduced standard.
- (2) For the purposes of this section a dwelling shall be taken to attain the full standard if the following conditions are fulfilled with respect to it, namely,—
 - (a) that it is provided with all the standard amenities for the exclusive use of its occupants; and
 - (b) that it is in good repair (disregarding the state of internal decorative repair) having regard to its age and character and the locality in which it is situated; and
 - (c) that it conforms with such requirements with respect to thermal insulation as may for the time being be specified by the Secretary of State for the purposes of this section; and
 - (d) that it is in all other respects fit for human habitation, construing that expression in accordance with Part II of the Housing Act 1957; and
 - (e) that it is likely to be available for use as a dwelling for a period of 15 years or such other period as may for the time being be specified by the Secretary of State for the purposes of this subsection.
- (3) Where an application for an intermediate grant contains a statement, and the local authority are satisfied, that it is not practicable at reasonable expense for the dwelling to which the application relates to be provided with all the standard amenities, they shall dispense with the condition in paragraph (a) of subsection (2) above unless they are satisfied that the dwelling is, or forms part of, a house or building in respect of which they could, by a notice under section 15 of the Housing Act 1961, require the execution of such works as are referred to in subsection (1) of that section.
- (4) If it appears to a local authority that it is not practicable at reasonable expense for a dwelling to which an application for an intermediate grant relates—
 - (a) to attain the standard of repair required by the condition in paragraph (b) of subsection (2) above, or
 - (b) to conform in every respect with the requirements referred to in paragraph (c) of that subsection, or
 - (c) to comply with the condition in paragraph (d) of that subsection,
 the authority may, in the case of that dwelling, dispense with the condition in question to such extent as will enable them, if they think fit, to approve the application.
- (5) If it appears to a local authority reasonable to do so in the case of any dwelling to which an application for an intermediate grant relates, they may in the case of that dwelling vary the condition in paragraph (e) of subsection (2) above by substituting for the period of 15 years or such other period as may for the time being be specified as

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mentioned in that paragraph such shorter period as appears to them to be appropriate in the circumstances.

- (6) If, in relation to any dwelling, a local authority by virtue of subsection (3), subsection (4) or subsection (5) above dispense, in whole or in part, with any of the conditions in paragraphs (a) to (d) of subsection (2) above or vary the condition in paragraph (e) of that subsection, then for the purposes of this section the dwelling concerned shall be taken to attain the reduced standard if, subject to any such dispensation or variation, the conditions in subsection (2) above are fulfilled with respect to it.

67 Local authority to approve certain applications for intermediate grants

- (1) Subject to sections 57, 60, 65(2), 65(3) and 66 above, a local authority shall approve an application for an intermediate grant which is duly made in accordance with this Part of this Act.
- (2) If an application for an intermediate grant is duly made in accordance with this Part of this Act and the relevant works consist solely of works which the applicant is required to carry out by an improvement notice served or an undertaking accepted under Part VIII of this Act,—
- (a) subsections (3) to (5) of section 57 and sections 60 and 65(2) above shall not apply, and
 - (b) if it appears to the local authority to whom the application is made that, on completion of the relevant works, the dwelling concerned will not attain the full standard, they shall be treated as having exercised their powers under subsections (4) and (5) of section 66 above and, where appropriate, as being satisfied as mentioned in subsection (3) of that section, to such extent as is necessary to secure that on completion of the relevant works the dwelling will attain the reduced standard,
- and subsection (1) above shall apply accordingly.
- (3) Where the relevant works specified in an application for an intermediate grant include works of repair or replacement which go beyond those needed, in the opinion of the local authority, for the purposes of enabling the dwelling concerned to attain the full standard or the reduced standard, as the case may require, the local authority may, with the consent of the applicant, treat the application as varied so that the relevant works—
- (a) are confined to works other than works of repair or replacement, or
 - (b) include only such works of repair or replacement as (taken with the rest of the relevant works) will secure, in the opinion of the local authority, that the dwelling will attain the full standard or the reduced standard as the case may require,
- and may approve the application as so varied.
- (4) In this section "the full standard" and "the reduced standard " have the same meanings as in section 66 above.

68 Determination of estimated expense and amount of intermediate grant

- (1) Where a local authority approve an application for an intermediate grant they shall determine separately—

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- (a) the amount of the expenses which in their opinion are proper to be incurred for the execution of those of the relevant works which consist of works of repair or replacement, and
 - (b) the amount of the expenses which in their opinion are proper to be incurred for the execution of those of the relevant works which relate solely to the provision of standard amenities,and shall notify the applicant of the amounts determined by them under this subsection.
- (2) If the applicant satisfies the local authority that the relevant works cannot be or could not have been carried out without the carrying out of additional works and that this could not have been reasonably foreseen at the time the application was made, the local authority may determine a higher amount under either or both of paragraphs (a) and (b) of subsection (1) above.
- (3) Except in a case or description of case in respect of which the Secretary of State approves a higher eligible expense, the eligible expense for the purposes of an intermediate grant shall be the aggregate of—
 - (a) so much of the amount determined under subsection (1)(a) above as does not exceed £800 or such other amount as may be prescribed ; and
 - (b) so much of the amount determined under subsection (1)(b) above as does not exceed the total of the amounts specified in the second column of Part I of Schedule 6 to this Act in relation to each of the standard amenities which are to be provided by the relevant works.
- (4) In any case where the relevant works make provision for more than one standard amenity of the same description, only one amenity of that description shall be taken into account under subsections (1) to (3) above.
- (5) Subject to subsection (6) below, the amount of an intermediate grant shall be the appropriate percentage of the eligible expense and, together with the notification under subsection (1) above, the local authority shall send to the applicant a notification of the amount of the grant.
- (6) In any case where, after the amount of an intermediate grant has been notified to the applicant under subsection (5) above, the local authority, in exercise of their powers under subsection (2) above, determine a higher amount under either or both of paragraphs (a) and (b) of subsection (1) above, the eligible expenses shall be re-calculated under subsection (3) above and if, on that re-calculation, the amount of the eligible expense is greater than it was at the time when the application was approved,—
 - (a) the amount of the intermediate grant shall be increased accordingly; and
 - (b) the local authority shall notify the applicant of the increased amount of the grant.