
Changes to legislation: Housing Act 1985, SCHEDULE 15 is up to date with all changes known to be in force on or before 07 July 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 15

Section 432.

SUPERSEDED CONTRIBUTIONS, GRANTS, SUBSIDIES, &C.

PART I

LOANS UNDER THE HOUSING (RURAL WORKERS) ACTS 1926 TO 1942

The ^{M1}Housing (Rural Workers) Acts 1926 to 1942, and any enactment so far as it relates to the rate of interest payable on a loan under those Acts, continue to have effect in relation to a loan made under section 2 of the Housing (Rural Workers) Act 1926 before 10th August 1972.

Annotations:

Marginal Citations

M1 1926 c. 56.

PART II

^{F1}ANNUAL GRANTS FOR AGRICULTURAL HOUSING

Annotations:

Amendments (Textual)

F1 Sch. 15 Pt. II heading substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(3)**; S.I. 1996/2402, **art. 3**

Modifications etc. (not altering text)

C1 Sch. 15 Pt. II restricted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(1)**; S.I. 1996/2402, **art. 3**

(s. 46 of the Housing (Financial Provisions) Act 1958)

[^{F2} Annual grants by local housing authorities]

Annotations:

Amendments (Textual)

F2 Sch. 15 Pt. II para. 1 and cross-heading substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(4)**; S.I. 1996/2402, **art. 3**

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- [^{F3}1 (1) Annual grants shall, notwithstanding the abolition of exchequer contributions by paragraph 6(1) of Schedule 18 to the ^{M2}Housing Act 1996, continue to be payable by local housing authorities in respect of agricultural housing provided in pursuance of arrangements made under section 46 of the Housing (Financial Provisions) Act 1958.
- (2) Subject to the provisions of this Part of this Schedule, such annual grants are payable, in respect of any house as to which the Secretary of State originally undertook to make annual contributions under section 46 of the ^{M3}Housing (Financial Provisions) Act 1958, for the remainder of the 40 year period for which that undertaking was given.
- (3) The amount paid by way of annual grant to the owner of a house shall not be less than the amount of the last annual contribution paid by the Secretary of State in respect of the house.]

Annotations:

Amendments (Textual)

F3 Sch. 15 Pt. II para. 1 and cross-heading substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(4)**; S.I. 1996/2402, **art. 3**

Marginal Citations

M2 1958 c. 42.
M3 1958 c. 42.

[^{F4} Conditions of payment of annual grant]

Annotations:

Amendments (Textual)

F4 Sch. 15 Pt. II para. 2 and cross-heading substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(5)**; S.I. 1996/2402, **art. 3**

- [^{F5}2 (1) It is a condition of the payment of a grant in respect of a house in any year that throughout the year the house—
- (a) is reserved for members of the agricultural population, and
- (b) if let, is let at a rent not exceeding the limit applicable in accordance with the following provisions of this paragraph,
- and that in the opinion of the local housing authority all reasonable steps have been taken to secure the maintenance of the house in a proper state of repair during the year.]

Annotations:

Amendments (Textual)

F5 Sch. 15 Pt. II para. 2 and cross-heading substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(5)**; S.I. 1996/2402, **art. 3**

- 3 (1) In the case of a house completed on or after 18th April 1946 the payment of a [^{F6}grant] for any year during which the house is at any time occupied by a member of the

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agricultural population in pursuance of a contract of service and otherwise than as a tenant is also subject to the following condition.

- (2) The condition is that if the contract of service is terminated—
- (a) by less than four weeks' notice given by the employer, or
 - (b) by dismissal of the employee without notice, or
 - (c) by the death of either party,

the employer or his personal representatives will permit the employee (or, in the case of his death, any person residing with him at his death) to continue to occupy the house free of charge from the determination of the contract until the expiration of a period of four weeks beginning with the date on which the notice is given, or, if the contract is determined otherwise than by notice, with the date on which it is determined.

Annotations:

Amendments (Textual)

- F6** Word in Sch. 15 Pt. II para. 3(1) substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(6)**; S.I. 1996/2402, **art. 3**

Grants payable to owners by local housing authority

- [^{F7} A grant shall not be made or shall be reduced, as the local housing authority think fit, if (before the grant is paid) the local housing authority are of the opinion that during the whole or the greater part of the period to which the payment of the grant is referable the house has not been available as a dwelling fit for habitation, unless the authority is satisfied that that could not with reasonable diligence have been achieved.]

Annotations:

Amendments (Textual)

- F7** Sch. 15 Pt. II para. 4 substituted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(7)**; S.I. 1996/2402, **art. 3**

No further payments if house vests in local housing authority

- 5 Where a house which has been provided under arrangements under section 46 of the ^{M4}Housing (Financial Provisions) Act 1958 becomes vested in the local housing authority making the arrangements, no further sums are payable by ^{F8} . . . the authority in respect of the house under this Part of this Schedule.

Annotations:

Amendments (Textual)

- F8** Words in Sch. 15 Pt. II para. 5 omitted (1.10.1996) by virtue of 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(8)**; S.I. 1996/2402, **art. 3**

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Marginal Citations

M4 1958 c. 42.

[^{F9} Commutation of future annual grant]

Annotations:

Amendments (Textual)

F9 Sch. 15 Pt. II para. 6 and cross-heading inserted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(9)**; S.I. 1996/2402, **art. 3**

- ^{F106} (1) A local authority may make an offer in writing to the person who is for the time being the owner of a house as respects which annual grant is payable under this Part of this Schedule to pay a lump sum in lieu of—
- (a) the annual grant payable for the year in which the offer is accepted; and
 - (b) any further payments of annual grant that would (apart from this paragraph) be payable for the remainder of the period for which the original arrangements under section 46 of the Housing (Financial Provisions) Act 1958 were made.
- (2) An owner may accept an offer made under this paragraph by notice in writing to the local housing authority.
- (3) Subject to sub-paragraph (4) below, where such an offer is accepted the local housing authority shall pay to the owner a lump sum calculated in such manner as the authority may determine.
- (4) A lump sum shall not be paid as respects a house unless the local housing authority are satisfied that the conditions in this Part of this Schedule have been observed throughout the year preceding the date on which the lump sum would otherwise be paid.
- (5) On payment of a lump sum under this paragraph to the owner of a house—
- (a) no further annual grants under this Part of this Schedule shall be payable in respect of the house; and
 - (b) the conditions described in this Part of this Schedule shall cease to apply to the house.]

Annotations:

Amendments (Textual)

F10 Sch. 15 Pt. II para. 6 and cross-heading inserted (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. II para. 6(9)**; S.I. 1996/2402, **art. 3**

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PART III

CONTRIBUTIONS FOR IMPROVEMENT OF DWELLINGS BY HOUSING AUTHORITIES

*(s. 9 of the Housing (Financial Provisions) Act 1958;
s. 13 of the House Purchase and Housing Act 1959)*

- 1 (1) Subject to sub-paragraph (2), contributions by the Secretary of State to a local authority remain payable—
- (a) under section 9 of the ^{M5}Housing (Financial Provisions) Act 1958 (contributions over a period of 20 years towards the cost to local authorities of works of conversion or improvement) in pursuance of proposals approved before 25th August 1969, and
 - (b) under section 13 of the ^{M6}House Purchase and Housing Act 1959 (contributions over a period of 20 years in respect of standard amenities provided by local authorities), in pursuance of applications approved before 25th August 1969.
- (2) No contribution is payable under this paragraph in respect of a dwelling within a local housing authority's Housing Revenue Account or a new town corporation's housing account.
- (3) The contributions are payable at such times and in such manner as the Treasury may direct, and subject to such conditions as to records, certificates, audit or otherwise as the Secretary of State may, with the approval of the Treasury, impose.
- (4) The amount or duration of any contribution payable under this paragraph to which section 25(2) of the Housing (Financial Provisions) Act 1958 applied immediately before the commencement of this Act (payments arising out of the exercise of housing powers by county councils) may be reduced by the the Secretary of State at his discretion.

Annotations:

Marginal Citations

M5 1958 c. 42.

M6 1959 c. 33.

(ss. 17 to 20 of the Housing Act 1969)

- 2 (1) Contributions by the Secretary of State to a housing authority remain payable under section 18 or 19 of the ^{M7}Housing Act 1969 (improvement contributions or standard contributions payable over a period of 20 years for dwellings converted or improved by the authority) in pursuance of applications approved before 2nd December 1974.
- (2) The contributions are payable at such times and in such manner as the Treasury may direct, and subject to such conditions as to records, certificates, audit or otherwise as the Secretary of State may, with the approval of the Treasury, impose.
- (3) No contribution is payable under this paragraph in respect of a dwelling within a local housing authority's Housing Revenue Account or a new town corporation's housing account.

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- (4) The amount or duration of any contribution payable under this paragraph to which section 25(2) of the ^{M8}Housing (Financial Provisions) Act 1958 Act applied immediately before the commencement of this Act (payments arising out of the exercise of housing powers by county councils) may be reduced by the Secretary of State at his discretion.

Annotations:

Marginal Citations

- M7** 1969 c. 33.
M8 1958 c. 42.

(s. 79 of the Housing Act 1974)

- 3 (1) Subject to sub-paragraph (2), contributions by the Secretary of State to a housing authority remain payable under section 79 of the ^{M9}Housing Act 1974 (improvement contributions payable over a period of 20 years) in pursuance of applications approved before 8th August 1980.
- (2) No contribution is payable under this paragraph in respect of dwellings within a local housing authority's Housing Revenue Account or a new town corporation's housing account.
- (3) The contributions are payable subject to such conditions as to records, certificates, audit or otherwise as the Secretary of State may, with the approval of the Treasury, impose.

Annotations:

Marginal Citations

- M9** 1974 c. 44.

PART IV

TOWN DEVELOPMENT SUBSIDY

(s. 9 of the Housing Finance Act 1972; s. 5 of the Housing Rents and Subsidies Act 1975)

Transitional town development subsidy

- 1 (1) Transitional town development subsidy is payable each year, subject to the following provisions of this Part of this Schedule, to a sending authority to whom town development subsidy under section 9 of the ^{M10}Housing Finance Act 1972 was payable for the year 1974-75; and the amount of the subsidy, subject to the following provisions of this Schedule, is the amount of town development subsidy payable to the authority for the year 1974-75.
- (2) The subsidy is payable for the credit of the sending authority's general rate fund.

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Annotations:

Marginal Citations

M10 1972 c. 47.

- 2
- (1) The subsidy is payable by the Secretary of State at such times and in such manner as the Treasury may direct, and subject to such conditions as to records, certificates, audit or otherwise as the Secretary of State may, with the approval of the Treasury, impose.
 - (2) The payment of subsidy is subject to the making of a claim for it in such form and containing such particulars as the Secretary of State may from time to time determine.
 - (3) The amount of the subsidy for any year shall be calculated to the nearest pound, by disregarding an odd amount of £0·50, or less, and by treating an odd amount exceeding £0·50 as a whole pound.
 - (4) A direction or determination under this paragraph may contain supplementary or incidental provisions and may be made to apply to a specified description of authorities or to a specified authority.

Reduction or discontinuance of subsidy

- 3
- (1) The Secretary of State may reduce or discontinue a sending authority's transitional town development subsidy if a dwelling in respect of which it is payable—
 - (a) has been demolished,
 - (b) has been disposed of by the receiving authority,
 - (c) is not fit to be used, or is not being used, for letting as a dwelling, or
 - (d) in any other circumstances he considers relevant.
 - (2) The Secretary of State may from time to time determine for the purposes of sub-paragraph (1)—
 - (a) the circumstances in which a dwelling is to be treated as having been demolished or disposed of,
 - (b) the circumstances in which a dwelling is to be treated as not fit to be used, or as not being used, for letting as a dwelling,
 - (c) in which circumstances other than those mentioned in sub-paragraph (1)(a) to (c) an authority's transitional town development subsidy is to be reduced or discontinued, and
 - (d) the method by which any calculation is to be made;and the power conferred by paragraph (b) above also includes power to determine what constitutes letting as a dwelling.
 - (3) A determination under this paragraph may contain supplementary or incidental provisions and may be made to apply to a specified description of authorities or dwellings or to a specified authority.

Payments to receiving authority

- 4
- (1) Where transitional town development subsidy is payable, the sending authority shall for each year pay to the receiving authority four times the amount of the sending authority's transitional town development subsidy attributable to dwellings of the

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receiving authority which are available in that year for tenants from the sending authority.

- (2) The payments are for the credit of the receiving authority's general rate fund.

Communication of subsidy and payments to receiving authority

- 5 (1) The Secretary of State may, with the agreement of the sending authority and the receiving authority, determine—
- (a) to commute further payments of transitional town development subsidy into a single payment of an amount to be determined by him or calculated in a manner determined by him, and
 - (b) to commute the corresponding payments by the sending authority to the receiving authority under paragraph 4 into a single payment of four times that payable under paragraph (a).
- (2) In making a determination the Secretary of State shall make such allowance, if any, as appears to him appropriate for circumstances in which, if there were no commutation, his power under paragraph 3 to reduce or discontinue the sending authority's transitional town development subsidy might be exercised.

Meaning of "receiving authority"

- 6 In this part of this Schedule "receiving authority" means the council of a receiving district within the meaning of the ^{M11}Town Development Act 1952.

Annotations:

Marginal Citations

M11 1952 c. 54.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81A-81D and cross-heading inserted by 2016 c. 22 Sch. 7 para. 4
- s. 81B(1)(b) words inserted by 2018 c. 11 s. 1(3)
- s. 81B(2A)-(2C) inserted by 2018 c. 11 s. 1(2)
- s. 82(A1)(A2) inserted by 2016 c. 22 s. 119(2)(a)
- s. 82A(4A)(4B) inserted by 2016 c. 22 Sch. 7 para. 7(2)
- s. 86(1A)(1B) inserted by 2016 c. 22 Sch. 7 para. 10(3)
- s. 86(1C) inserted by 2016 c. 22 Sch. 8 para. 2
- s. 86A-86F and cross-headings inserted by 2016 c. 22 Sch. 7 para. 11
- s. 86G s. 86A renumbered as s. 86G by 2016 c. 22 Sch. 8 para. 3(1)(a)
- s. 86G(8) inserted by 2016 c. 22 Sch. 8 para. 3(2)
- s. 88(1)(ba) inserted by 2016 c. 22 Sch. 8 para. 4
- s. 89(2A)-(2D) inserted by 2016 c. 22 Sch. 8 para. 5(3)
- s. 97(1A) inserted by 2016 c. 22 Sch. 7 para. 12(3)
- s. 99A(1A) inserted by 2016 c. 22 Sch. 7 para. 13(3)
- s. 115B 115C inserted by 2016 c. 22 Sch. 7 para. 15
- s. 121ZA repealed by 2018 anaw 1 s. 6(2)(a)
- s. 121ZB repealed by 2018 anaw 1 s. 6(2)(a)
- s. 171B(7) repealed by 2018 anaw 1 s. 6(2)(a)
- s. 353A inserted by 1996 c. 52 s. 73(1) (This amendment not applied to legislation.gov.uk. S. 73 repealed (6.4.2006 for E., 16.6.2006 for W.) by 2004 c. 34, Sch. 16; S.I. 2006/1060, art. 2(1)(e), Sch.; S.I. 2006/1535, art. 2(c), Sch.)
- Sch. 1 para. 1ZA and cross-heading inserted by 2016 c. 22 Sch. 7 para. 17(2)
- Sch. 1 para. 4ZA(2A)-(2G) inserted by 2016 c. 22 Sch. 7 para. 17(3)