
STATUTORY INSTRUMENTS

1992 No. 1725

The Housing (Northern Ireland) Order 1992

PART III

GRANTS

CHAPTER I

GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.

Group repair schemes

Qualifying buildings and external works, etc.

66.—(1) A building is not a qualifying building in relation to a group repair scheme unless, at the time the scheme is prepared, the whole or some part of the exterior of the building is not in reasonable repair and that lack of reasonable repair affects at least 75 per cent. of the houses contained in the building.

(2) Every group repair scheme shall relate to at least one qualifying building (in this Article referred to as “the primary building”) which was constructed so as to comprise not less than 4 separate houses and may also relate to one or more other qualifying buildings if the following conditions are fulfilled with respect to each of them—

- (a) the building was constructed so as to comprise at least one house and is contiguous or adjacent to the primary building; and
- (b) the exterior of the building is not in reasonable repair and is in need of works similar to those required to the exterior of the primary building; and
- (c) carrying out the works to the building and the primary building at the same time is the most effective way of securing the repair of each of them.

(3) The question whether a building was constructed so as to comprise not less than 4 houses or at least one house shall be determined according to the configuration of the building at the date of its construction.

(4) For the purposes of this Article—

- (a) a terrace of houses shall be regarded as one building except that, if it appears appropriate to the Executive to do so, having regard in particular to the requirements of paragraph (1), it may treat part only of the terrace as a building; and
- (b) if, apart from this sub-paragraph, one building would be regarded as containing 2 or more purpose-built flats and one or more houses, the part of the building containing the purpose-built flats and the part or parts of the building containing the houses shall be regarded as separate buildings.

(5) In relation to a group repair scheme, “external works” are works to any part of the exterior of a building to which the scheme relates and, so far only as may be necessary to give satisfactory effect to such works, additional works to other parts of the building.

- (6) For the purposes of this Chapter, the exterior of a building means—
- (a) any part thereof which is exposed to the elements of wind and rain or otherwise faces into the open air (including, in particular, roofs, chimneys, walls, doors, windows, rainwater goods and external pipework); and
 - (b) the curtilage of the building, including any wall within the curtilage which is constructed as a retaining wall or otherwise to protect the structure of the building;

and, in relation to works to any part of the curtilage referred to in sub-paragraph (b), the reference in paragraph (5) to additional works to other parts of the building includes a reference to additional works on land outside the curtilage.

- (7) In this Article—
- (a) “house” means a dwelling which is not a flat (and, accordingly, does not include a house constructed as a house in multiple occupation); and
 - (b) a “purpose-built flat” means a part of a building which, at the date of the construction of the building, was constructed as a flat.

(8) For the purposes of this Chapter, unless the exterior of a building is substantially free from rising or penetrating damp, it shall not be regarded as in reasonable repair.