
 S T A T U T O R Y I N S T R U M E N T S

1974 No. 1511

HOUSING, ENGLAND AND WALES
The Housing (Prescribed Forms) (Amendment etc.)
Regulations 1974

<i>Made - - - -</i>	<i>9th September 1974</i>
<i>Laid before Parliament</i>	<i>10th September 1974</i>
<i>Coming into Operation</i>	<i>11th September 1974</i>

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred by section 178 of the Housing Act 1957^(a) and section 60(1A) thereof, as substituted by section 108(2) of and Schedule 9 to the Housing Act 1974^(b), and now vested in them ^(c), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1.—(1) These regulations may be cited as the Housing (Prescribed Forms) (Amendment etc.) Regulations 1974 and shall come into operation on 11th September 1974.

(2) The Housing (Prescribed Forms) Regulations 1972 and these regulations may be cited together as the Housing (Prescribed Forms) Regulations 1972 to 1974.

Interpretation

2.—(1) In these regulations “the principal regulations” means the Housing (Prescribed Forms) Regulations 1972^(d).

(2) The Interpretation Act 1889^(e) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

3.—(1) To the list contained in Schedule 1 to the principal regulations there shall be added the following:—

“66. Notification of local authority’s decision as to the state of maintenance of a house or dwelling for the purposes of payments for good maintenance.”.

(2) The form contained in the Schedule to these regulations shall be added to Schedule 2 to the principal regulations.

(3) The form added by these regulations, or a form substantially to the like effect, shall be the form to be used for the purposes of any notification served

^(a) 1957 c. 56.

^(b) 1974 c. 44.

^(c) S.I. 1965/319 (1965 I, p. 785); S.I. 1970/1681 (1970 III, p. 5551).

^(d) S.I. 1972/228 (1972 I, p. 739).

^(e) 1889 c. 63.

under section 60(1A) of the Housing Act 1957, as substituted by section 108(2) of and Schedule 9 to the Housing Act 1974.

(4) In each of the forms numbered 17, 19, 26 and 33 contained in Schedule 2 to the principal regulations, in the part of the Notes headed "*Compensation*", for the words from "No payment for good maintenance" to "bring this paragraph to their notice." there shall be substituted the following paragraph:—

"In certain circumstances payments may be made for good maintenance of a house or dwelling. Separate notifications are being served in relation to such payments."

Prescribed manner for written representation to Secretary of State

4. Any written representation made under section 60(1D) of the Housing Act 1957, as substituted by section 108(2) of and Schedule 9 to the Housing Act 1974, shall be made in the following manner, that is to say:—

(1) if the house or dwelling to which the representation relates is situated in England, it shall be sent to:—

The Secretary of State for the Environment,
Department of the Environment,
2 Marsham Street,
LONDON SW1P 3EB

or (2) if the house or dwelling to which the representation relates is situated in Wales, it shall be sent to:—

The Secretary of State for Wales,
Welsh Office,
Cathays Park,
CARDIFF CF1 3NQ

SCHEDULE

FORM No. 66

HOUSING ACTS 1957, 1969 AND 1974

NOTIFICATION OF LOCAL AUTHORITY'S DECISION AS TO THE STATE OF MAINTENANCE OF A HOUSE OR DWELLING FOR THE PURPOSES OF PAYMENTS FOR GOOD MAINTENANCE

To
of
being the [owner] [lessee] [mortgagee] [occupier] of the [house known as
[dwelling known as
which is included in or subject to the*

Section 60(1) and (1A) of Housing Act 1957 as substituted by section 108(2) of and Schedule 9 to Housing Act 1974.

Strike out words in square brackets which are inapplicable.

*Insert title of compulsory purchase order, clearance order or unfitness order.

You are hereby Notified, in pursuance of section 60(1) and (1A) of the Housing Act 1957, as substituted by section 108(2) of and Schedule 9 to the Housing Act 1974, that the

Only one of the statements lettered *a* to *e* will be applicable in any case. The rest should be struck out.

Council are satisfied that ^a[both the interior and exterior of the above-mentioned house have been well maintained.] ^b[the exterior[†] of the above-mentioned house has been well maintained, but they are not satisfied that the interior thereof has been well maintained because[‡]

Section 60(1A)(a).

Section 60(1A)(b).

[†]Delete the word which is not applicable.

[‡]Insert reasons (see section 60(1B)(a)).

^c[the exterior of the above-mentioned house has been well maintained.] ^d[the interior of the above-mentioned dwelling has been well maintained.] ^e[no part of the above-mentioned house[†] has been well maintained because[‡]

Section 60(1A)(c).

Section 60(1A)(d).

Section 60(1A)(e).

[‡]Insert reasons (see section 60(1B)(b)).

[If you are aggrieved at the decision of the Council you may make written representation to that effect to the Secretary of State. You should send your written representation:—

These words are only applicable if statement *b* or *e* above is used. Otherwise they should be struck out.

(1) if the house or dwelling is in England, to:—
The Secretary of State for the Environment,
Department of the Environment,
2 Marsham Street,
LONDON SW1P 3EB

or

(2) if the house or dwelling is in Wales, to:—
The Secretary of State for Wales,
Welsh Office,
Cathays Park,
CARDIFF CF1 3NQ

so as to reach the Secretary of State before §

19 .]

§Insert closing date of the period for making written representation, which is the same as the closing date of the period for objecting to the compulsory purchase order, clearance order or unfitness order.

Strike out words
in square
brackets if
inapplicable.

A notification regarding payments for good maintenance is being served on every owner, lessee, mortgagee and occupier (so far as it is reasonably practicable to ascertain such persons) of the above-mentioned house [and of each dwelling in it].

Dated 19

Signed

NOTES

1. Where a compulsory purchase order, clearance order or unfitness order is confirmed in relation to an individual house, or a house comprising more than one dwelling or which is used for both dwelling and other purposes, and that house is unfit for human habitation, payments may be awarded for good maintenance. (But see notes 5 and 6 below.)

2. Initially it is for the Council to decide whether the house or dwelling has been well maintained and this notification tells you of their decision.

3. In the case where a house comprises more than one dwelling, or is used for both dwelling and other purposes, any notification stating that no part of the house is well maintained relates to the exterior of that house and any notification that no part of the dwelling is well maintained relates to the interior of that dwelling.

4. If you disagree with the Council's decision and make written representation to the Secretary of State within the time allowed he has the power, where appropriate, to direct payment (or further payment), though he may first have the house or dwelling inspected by an officer of his department. Any representation should mention the title of the compulsory purchase order, clearance order or unfitness order, which is set out in the above notification.

5. A payment for full good maintenance may be awarded where an individual house is wholly well maintained. A payment for partial good maintenance may be awarded where the exterior or the interior of an individual house is well maintained. A payment for partial good maintenance may be awarded in the case of a house comprising more than one dwelling, or which is used for both dwelling and other purposes, if the exterior of the house has been well maintained or if the interior of any dwelling has been well maintained. In the case of full good maintenance the amount of the payment is equal to the rateable value of the house multiplied by a multiplier which may be varied from time to time, and in the case of partial good maintenance one-half of the amount payable for full good maintenance, provided that the amount of a payment for the purposes of good maintenance cannot in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds the site value. (And see Note 6 below.)

6. No payment may be made in relation to any interest in any part of a house or dwelling in respect of which an owner-occupier supplement or business-occupier supplement falls to be paid under Schedule 5 to the Housing Act 1969 or Part II of Schedule 2 to the Housing Act 1957.

Anthony Crosland,
Secretary of State for the Environment.

9th September 1974.

John Morris,
Secretary of State for Wales.

9th September 1974.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations add to the Housing (Prescribed Forms) Regulations 1972 ("the 1972 Regulations") the prescribed form of notification by the local authority for the purposes of the new procedure for payments for good maintenance under section 60 of the Housing Act 1957, as substituted by section 108(2) of and Schedule 9 to the Housing Act 1974, and make certain amendments to the Notes to forms 17, 19, 26 and 33 in the 1972 Regulations consequential upon the new procedure for payments for good maintenance.

The Regulations also prescribe the manner in which written representation is to be made to the Secretary of State under section 60(1D) of the Housing Act 1957, as substituted by section 108(2) of and Schedule 9 to the Housing Act 1974.

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