

*Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, SCHEDULE 1. (See end of Document for details)*

## SCHEDULE 1

*(introduced by section 2)*

### HOUSING RENEWAL AREAS: PROCEDURE

#### *Consultation*

- 1 (1) Where a local authority proposes to designate any locality in its area as an HRA, it must give notice of that fact—
  - (a) to the owner and occupier of each house in the proposed HRA,
  - (b) where the proposed HRA includes any building which falls within paragraph 4, the planning authority (where the planning authority is not the local authority),
  - (c) in at least two newspapers circulating in the local authority's area (at least one of which must, if practicable, be a local newspaper), and
  - (d) in such other manner as the local authority thinks fit.
- (2) The notice must—
  - (a) name a place where and specify the times at which a copy of a draft of the proposed HRA designation order (the “draft order”) may be inspected free of charge,
  - (b) describe, by reference to the statement made available by the local authority in pursuance of section 72, the assistance which the authority proposes to provide under Part 2 (scheme of assistance) in relation to the implementation of the HRA action plan included in the draft order, and
  - (c) specify the period (of not less than 3 months from the date on which the notice is given) during which representations concerning the draft order may be made to the local authority.
- (3) The local authority must, [<sup>F1</sup> consider ]any representations made during the period specified in the notice [<sup>F2</sup> before deciding whether to make the HRA designation order.]—
  - <sup>F3</sup>(a) .....
  - <sup>F3</sup>(b) .....
- (4) The local authority may, before it makes its decision, modify the draft order in such manner as it thinks fit.
- (5) Such a modification may not extend the proposed HRA.
- [<sup>F4</sup>(5A) Before making such a modification, the local authority must—
  - (a) give notice describing the general effect of the proposed modification to—
    - (i) any owner and occupier of a house, and any other person, who it considers likely to be significantly affected by the modification, and
    - (ii) where it considers that a building which falls within paragraph 4 is likely to be significantly affected by the modification, the planning authority (where the planning authority is not the local authority), and
  - (b) consider any representations made by such persons.]
- <sup>F5</sup>(6) .....

*Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, SCHEDULE 1. (See end of Document for details)*

#### Textual Amendments

- F1** Word in Sch. 1 para. 1(3) substituted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(a)(i)**, 166(2); S.S.I. 2011/96, art. 2, Sch.
- F2** Words in Sch. 1 para. 1(3) inserted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(a)(ii)**, 166(2); S.S.I. 2011/96, art. 2, Sch.
- F3** Sch. 1 para. 1(3)(a)(b) repealed (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(a)(iii)**, 166(2); S.S.I. 2011/96, art. 2, Sch.; S.S.I. 2011/96, art. 2, Sch.
- F4** Sch. 1 para. 1(5A) inserted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(b)**, 166(2); S.S.I. 2011/96, art. 2, Sch.
- F5** Sch. 1 para. 1(6) repealed (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(c)**, 166(2); S.S.I. 2011/96, art. 2, Sch.

#### Commencement Information

- I1** Sch. 1 para. 1 in force at 1.4.2009 by S.S.I. 2009/122, **art. 3**

#### *Consideration by Scottish Ministers*

<sup>F6</sup>2 .....

#### Textual Amendments

- F6** Sch. 1 para. 2 repealed (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(d)**, 166(2); S.S.I. 2011/96, art. 2, Sch.

#### *Notice of [<sup>F7</sup>decision]*

#### Textual Amendments

- F7** Sch. 1 para. 3 heading: word substituted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 149(3)(e)**, 166(2); S.S.I. 2011/96, art. 2, Sch.

- 3 (1) The local authority must, as soon as practicable after making an HRA designation order, give notice of that fact—
- (a) to the owner and occupier of each house in the HRA,
  - (b) in at least two newspapers circulating in the local authority's area (at least one of which must, if practicable, be a local newspaper), and
  - (c) in such other manner as the local authority thinks fit.
- (2) The notice must—
- (a) describe the general effect of the HRA designation order,
  - (b) describe, by reference to the statement made available by the local authority in pursuance of section 72, the assistance which the authority proposes to provide under Part 2 (scheme of assistance) in relation to the implementation of the HRA action plan included in the order, and
  - (c) specify the places where, and the times at which, a copy of the order is to be made available under section 7.

---

**Changes to legislation:** There are currently no known outstanding effects for the Housing (Scotland) Act 2006, SCHEDULE 1. (See end of Document for details)

---

- [<sup>F8</sup>(3) Where the local authority decides not to make an HRA designation order proposed under paragraph 1(1), they must give notice of that fact to the persons, and in the manner, mentioned in that provision. ]

---

**Textual Amendments**

- F8** Sch. 1 para. 3(3) inserted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), ss. **149(3)(f)**, 166(2); [S.S.I. 2011/96](#), art. 2, Sch.

---

**Commencement Information**

- I2** Sch. 1 para. 3 in force at 1.4.2009 by [S.S.I. 2009/122](#), art. 3

*Listed buildings etc.*

- 4 A building falls within this paragraph if it is—
- (a) included in a list of buildings of special architectural or historic interest, being a list compiled or approved under section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c. 9) (“the 1997 Act”),
  - (b) subject to a building preservation notice under section 3 of the 1997 Act, or
  - (c) one to which section 66 of the 1997 Act (control of demolition in conservation areas) applies.

---

**Commencement Information**

- I3** Sch. 1 para. 4 in force at 1.4.2009 by [S.S.I. 2009/122](#), art. 3

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2006,  
SCHEDULE 1.