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SCHEDULES

SCHEDULE 13

Sections 115(1), Sch. 11 § .2(a).

USE OF PREMISES AS PRIVATE DWELLING.

- 1 The provisions of this Schedule shall have effect for the purpose of determining whether any hereditament or premises is or are used wholly for the purposes of a private dwelling or private dwellings.
- 2 (1) If in the case of a hereditament which is used for the letting of rooms singly for residential purposes there is used for such lettings the whole, or substantially the whole, of the available accommodation (that is to say the whole, or substantially the whole, of so much of the accommodation in the hereditament as is suitable for being used for such lettings), then unless the whole, or substantially the whole, of that available accommodation consists of dwellings—
- (a) which have at any time been approved under section 1 of the Housing (Financial Provisions) Act 1958 or the corresponding provision of any enactment repealed by that Act or under Part I of the Housing Act 1961 ; or
 - (b) which have been provided or improved in accordance with proposals approved under section 9 of the said Act of 1958 or the corresponding provision of any enactment repealed by that Act; or
 - (c) in respect of which grants have at any time been paid to a housing association or development corporation under section 12 or 30 of the said Act of 1958 or the corresponding provision of any enactment repealed by that Act,
- that hereditament shall be deemed not to be used for the purposes of a private dwelling or private dwellings ; but save as aforesaid a hereditament shall not be deemed to be used otherwise than wholly for the purposes of a private dwelling or private dwellings by reason that one or more rooms therein are let for residential purposes.
- (2) In the foregoing sub-paragraph, references to the letting of rooms are references to the letting thereof by way either of a tenancy or of a licence, and either with or without board or other services or facilities.
- 3 A hereditament shall be deemed not to be used for the purposes of a private dwelling or private dwellings if it consists wholly or mainly of land used as sites for moveable dwellings within the meaning of section 269 of the Public Health Act 1936.
- 4 A hereditament or premises shall not be deemed to be used otherwise than wholly for the purposes of a private dwelling or private dwellings by reason of either or both of the following circumstances, that is to say—
- (a) that there is included in the hereditament or premises a garage, outhouse, garden, yard, court, forecourt or other appurtenance which is not used, or not used wholly, for the purposes of a private dwelling ;
 - (b) that part of the hereditament or premises, not being such an appurtenance as aforesaid, is used partly for the purposes of a private dwelling or private dwellings and partly for other purposes, unless that part was constructed, or has been adapted, for those other purposes,

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or by reason that a person who resides in the hereditament or premises, or in part thereof, is required or permitted to reside there in consequence of his employment or of holding an office.

- 5 Where part only of a hereditament is used for purposes other than those of a private dwelling or private dwellings and, if that part were a separate hereditament in the same occupation as the remainder of the hereditament and used solely for those other purposes, that separate hereditament would not be liable to be rated, the first-mentioned hereditament shall be deemed to be used wholly for the purposes of a private dwelling or private dwellings.