



# Housing Act 1969

## 1969 CHAPTER 33

### PART I

#### FINANCIAL ASSISTANCE TOWARDS COST OF IMPROVEMENTS AND CONVERSIONS

##### *Grants by local authorities*

#### **1 Improvement grants, standard grants and special grants**

- (1) Grants shall be payable by local authorities in accordance with the following provisions of this Part of this Act towards the cost of works required for—
- the provision of dwellings by the conversion of houses or other buildings;
  - the improvement of dwellings ; or
  - the improvement of houses in multiple occupation by the provision of standard amenities ;

where the provision or improvement is by a person other than a housing authority.

- (2) A grant under this Part of this Act is in this Act referred to as—
- an improvement grant, if the works are required for the provision of a dwelling or for the improvement of a dwelling not consisting or not wholly consisting of the provision of standard amenities which the dwelling lacks;
  - a standard grant, if the works are required for the improvement of a dwelling by the provision of standard amenities which it lacks ;
  - a special grant if the works are required for the improvement of a house in multiple occupation by the provision of standard amenities.

##### *Improvement grants*

#### **2 Improvement grants**

- (1) A local authority may pay an improvement grant if an application therefor is made in accordance with this section and approved by them.

- (2) Such an application must contain particulars of the works and an estimate of their cost, and such other particulars as the Minister may specify.
- (3) Subject to subsection (4) of this section, a local authority shall not entertain an application for an improvement grant if the cost of the works as estimated in the application is less than £100 or such other amount as may for the time being be prescribed.
- (4) Where, not more than three years before the making of the application, a standard grant was made in respect of the dwelling (or one of the dwellings) to which the application relates and the application contains a statement of the cost towards which the standard grant was made, that cost shall be deemed, for the purposes of the preceding subsection, to be added to that estimated in the application.
- (5) Where an application for an improvement grant relates to more than one dwelling then—
  - (a) if the dwellings are to be provided by the conversion of a house or other building, the cost referred to in subsection (3) of this section is the cost of the works divided by the number of dwellings ; and
  - (b) if the dwellings are to be improved, the cost referred to in subsection (3) of this section is so much of the cost of the works as is in the opinion of the local authority attributable to any one dwelling.
- (6) Subject to section 25 of this Act, a local authority shall not entertain an application for an improvement grant unless they are satisfied that the applicant has, in every parcel of land on which the works specified in the application are to be or have been carried out, an interest which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired at the date of the application.

### **3 Conditions for approval of application for improvement grant**

- (1) A local authority shall not approve an application for an improvement grant if the works specified therein have been begun unless they are satisfied that there were good reasons for beginning the works before the application was approved.
- (2) A local authority shall not approve an application for an improvement grant unless they are satisfied that the dwelling or dwellings to which the application relates will provide satisfactory housing accommodation for such period and conform with such requirements with respect to construction and physical conditions and the provision of services and amenities as may for the time being be specified for the purposes of this section by the Minister.

### **4 Approval of application for improvement grant**

- (1) Where a local authority approve an application for an improvement grant they shall determine the amount of the expenses which, in their opinion, are proper to be incurred for the execution of the works specified in the application and shall notify the applicant of that amount; and the amount so notified is in this Part of this Act referred to as the approved expense of the works.

- (2) The approved expense of any works shall not allow for works of repair and replacement more than one-half of that expense or such other part thereof as may for the time being be prescribed.
- (3) Where the applicant satisfies the local authority that the works specified in the application cannot be or could not have been carried out without the carrying out of additional works and that this could not have been reasonably foreseen at the time the application was made the local authority may substitute a higher amount as the amount of the approved expense.
- (4) In approving an application for an improvement grant a local authority may require as a condition of paying the grant that the works specified in the application are carried out within such time (which must not be less than twelve months) as the local authority may specify or such further time as the local authority may allow.

## **5 Amount of improvement grant**

- (1) The amount of an improvement grant shall be such amount as may be fixed by the local authority when they approve the application for the grant, but shall not exceed—
  - (a) one half of the approved expense of the works, nor
  - (b) subject to subsection (3) of this section, the limit imposed by or under subsection (2) of this section.
- (2) The limit is the amount or, if the application relates to more than one dwelling, the aggregate of the amounts, applicable under the following paragraphs, that is to say—
  - (a) £1,000, or such other amount as may be prescribed, if the dwelling is improved by the works or is provided by them otherwise than mentioned in paragraph (b) of this subsection ; and
  - (b) £1,200, or such other amount as may be prescribed, if the dwelling is provided by the conversion of a house or other building consisting of three or more storeys.
- (3) The limit imposed by or under subsection (2) of this section may be exceeded by such amount as the Minister may approve, if the local authority are satisfied in a particular case that there are good reasons for fixing a higher amount; and the approval of the Minister may be given either with respect to a particular case or with respect to a class of case.
- (4) For the purposes of this section, where an improvement grant is to be paid towards the cost of works required for the provision of a dwelling all or part of which is in the basement of a building the basement shall count as a storey.

## **6 Payment of improvement grant**

- (1) An improvement grant may be paid after the completion of the works towards the cost of which it is payable or part of it may be paid in instalments as the works progress and the balance after the completion of the works.
- (2) Where part of an improvement grant is paid in instalments the aggregate of the instalments paid shall not at any time before the completion of the works exceed one half of the aggregate cost of the works executed up to that time.

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*Status: This is the original version (as it was originally enacted).*

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- (3) The payment of an improvement grant or of any part thereof shall be conditional upon the works or the corresponding part of the works being executed to the satisfaction of the local authority.
- (4) If an instalment of an improvement grant is paid before the completion of the works and the works are not completed within the time specified in subsection (5) of this section, that instalment and any further sums paid by the local authority as part of the grant shall, on being demanded by the local authority, forthwith become repayable to them by the person to whom the instalment was paid and shall carry interest at such rate as may be prescribed from the date on which it was paid by the local authority until repayment.
- (5) Where the local authority have specified no time under section 4(4) of this Act for the completion of the works the time referred to in subsection (4) of this section is twelve months from the date on which the instalment is paid or such further time as the local authority may allow; and where they have specified a time or allowed further time under section 4(4) of this Act the time referred to in subsection (4) of this section is the time so specified or allowed.

#### *Standard grants*

### **7 Standard amenities**

- (1) Subject to subsection (2) of this section the standard amenities for the purposes of this Act shall be the amenities which are described in the Table set out in Part I of Schedule 1 to this Act and conform to such of the provisions of Part II of that Schedule as are applicable.
- (2) The Minister may by order vary the provisions of Schedule 1 to this Act and any such order may contain such transitional or other supplemental provisions as appear to the Minister to be expedient.

### **8 Standard grants**

- (1) A local authority shall pay a standard grant if an application therefor is made in accordance with this section and approved by them and the works are executed to the satisfaction of the local authority.
- (2) Such an application must specify the dwelling and the works, and, where the works are for the provision of some only of the standard amenities, must also state whether the dwelling is already provided with the remainder.
- (3) A local authority shall not entertain an application for a standard grant with respect to a dwelling provided after 2nd October 1961.
- (4) Subject to section 25 of this Act a local authority shall not entertain an application for a standard grant unless they are satisfied that the applicant has, in every parcel of land on which the works specified in the application are to be or have been carried out, an interest which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired at the date of the application.

## **9 Conditions for approval of application for standard grant**

(1) Subject to the following provisions of this section, a local authority shall approve an application for a standard grant if they are satisfied, and shall not approve it unless they are satisfied that, when the works specified in the application have been carried out.—

- (a) the dwelling will be provided with all the standard amenities for the exclusive use of its occupants; and
- (b) the dwelling will be in good repair, having regard to its age, character and locality, and disregarding internal decorative repair, and will in all other respects be fit for human habitation;

and that the dwelling is likely to remain fit for human habitation and available for use as a dwelling for a period of not less than fifteen years.

(2) A local authority shall not approve an application for a standard grant if the works specified therein have been begun unless they are satisfied that there were good reasons for beginning the works before the application was approved.

(3) Where the works specified in the application include works for the provision of a fixed bath or shower elsewhere than in a bathroom the local authority are not required to approve the application but may do so if otherwise they would be required or authorised to do so under this section.

(4) Where, under the preceding provisions of this section, a local authority would be required to approve an application for a standard grant if satisfied that, after the works specified in the application have been carried out, the dwelling will be provided with all the standard amenities, then, if—

- (a) the application contains a statement, and the local authority are satisfied, that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, and
- (b) the local authority are satisfied that after the works specified in the application have been carried out the dwelling will be provided with the amenities included in the Table in Part I of Schedule 1 to this Act as items 5, 6 and 7 and that item 7 will conform to the provisions of paragraph 3 of Part II of that Schedule,

the local authority shall approve the application notwithstanding that the dwelling will not be provided with all the standard amenities, unless they are satisfied that the dwelling is or forms part of a house or building in respect of which they have power to serve a notice under section 15 of the Housing Act 1961 or that section as extended by section 21 of that Act (power to require execution of works).

(5) In considering for the purposes of the preceding subsection whether it would be practicable at reasonable expense to provide the dwelling with all the standard amenities, the local authority shall have regard to the estimated cost of the works which would be required for that purpose and the value which it is estimated the dwelling (or the building of which it forms part) would have if works to provide the dwelling with all the standard amenities were carried out.

(6) Where the works specified in the application are to be carried out in compliance with an improvement notice served, or undertaking accepted, under Part II of the Housing Act 1964 and comprise the provision of a fixed bath or shower, then.—

- (a) if the fixed bath or shower is to be provided in a bathroom, the conditions stated in subsection (1) of this section shall, if otherwise satisfied, be deemed to be satisfied notwithstanding that the bath or shower is for the use of the

occupants of more than one dwelling in a tenement block (within the meaning of Part II of that Act); and

- (b) if the fixed bath or shower is to be provided elsewhere than in a bathroom, this section shall apply as if subsection (3) thereof were omitted.
- (7) Subject to such general or special directions as may from time to time be given by the Minister, a local authority may approve an application for a standard grant notwithstanding that the conditions stated in subsection (1) of this section are not satisfied.
- (8) An order under section 7(2) of this Act may vary the provisions of subsection (4) of this section.

## **10 Approval of application for standard grant**

In approving an application for a standard grant a local authority may require as a condition of paying the grant that the works specified in the application are carried out within such time (which must not be less than twelve months) as the local authority may specify or such further time as the local authority may allow.

## **11 Amount of standard grant**

- (1) The amount of a standard grant made towards the cost of any works shall, subject to the following provisions of this section, be one half of that cost.
- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the preceding subsection.
- (3) There shall be a limit on the amount of a standard grant, which shall be determined in accordance with Part III of Schedule 1 to this Act.

*Effect of standard grant on amount of improvement grant*

## **12 Effect of standard grant on amount of improvement grant**

Where after the making of a standard grant in respect of a dwelling an improvement grant is made in respect of that dwelling, section 5(2) of this Act shall have effect, in relation to that dwelling, as if the sum specified in or prescribed under paragraph (a) thereof were reduced by the amount of the standard grant.

*Special grants*

## **13 Special grants**

- (1) A local authority may pay a special grant if an application therefor is made in accordance with this section and approved by them and the works are executed to the satisfaction of the local authority.
- (2) Such an application must specify the house and the works, and must state by how many households and individuals the house is occupied and with what standard amenities it is already provided.

- (3) A local authority shall not entertain an application for a special grant unless they are satisfied that the applicant has, in every parcel of land on which the works specified in the application are to be or have been carried out, an interest which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired at the date of the application.
- (4) Part II of Schedule 1 to this Act shall apply for the purposes of the provisions of this Act relating to special grants as if paragraphs 2 and 3 and, in paragraph 1, the words from " except" onwards, were omitted.

#### **14 Approval of application for special grant**

- (1) Subject to subsection (2) of this section and to any general or special directions which may be given by the Minister for the purposes of this section, a local authority may approve an application for a special grant in such circumstances as they think fit.
- (2) A local authority shall not approve an application for a special grant if the works specified therein have been begun, unless they are satisfied that there were good reasons for beginning the works before the application was approved.
- (3) In approving an application for a special grant a local authority may require as a condition of paying the grant that the works specified in the application are carried out within such time (which must not be less than twelve months) as the local authority may specify or such further time as the local authority may allow.

#### **15 Amount of special grant**

- (1) The amount of a special grant made towards the cost of any works shall, subject to the following provisions of this section, be one half of that cost.
- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the preceding subsection.
- (3) The amount of a special grant shall not exceed the sum arrived at by allowing for each of the standard amenities provided the amount specified for an amenity of that description in the third column of the Table set out in Part I of Schedule 1 to this Act.

#### *Contributions towards grants*

#### **16 Contributions towards grants**

- (1) The Minister may make a contribution towards the expense incurred by a local authority in making a grant under this Part of this Act.
- (2) The contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works towards the cost of which the grant was made were completed, equal to three-quarters of the annual loan charges referable to the amount of the grant.

*Contributions towards cost of improvements and conversions  
carried out by or under arrangements with housing authorities*

**17 Contributions to local authorities and other bodies for dwellings improved by them or provided by them by conversion**

- (1) The Minister may pay contributions to housing authorities towards the cost incurred by them in—
- (a) the provision of dwellings by the conversion of houses or other buildings ; or
  - (b) the improvement of dwellings ;
- in such circumstances as appear to the Minister to be sufficiently similar to those in which a grant under this Part of this Act might be paid by a local authority had the provision or improvement been by a person other than a housing authority.
- (2) Such a contribution is in the following provisions of this Part of this Act referred to as—
- (a) a standard contribution, if the cost is incurred only in the improvement of dwellings by the provision of standard amenities which they lack ; and
  - (b) as an improvement contribution in any other case.

**18 Improvement contributions**

- (1) The Minister may pay an improvement contribution with respect to any dwellings if an application therefor containing such estimates and particulars as he may require is made by a housing authority and approved by him.
- (2) When approving the application the Minister shall determine an amount as the allowable cost and that amount shall, subject to the limit imposed by or under the following provisions of this section, be one-half of the aggregate of—
- (a) the amount appearing to him to be the cost proper to be incurred by the housing authority for the purpose of carrying out any works required for the provision or improvement of the dwellings ; and
  - (b) the cost (if any) incurred by the housing authority in acquiring an estate or interest in any building for the purpose of converting it into any of the dwellings or acquiring any estate or interest in any of the dwellings for the purpose of improving it.
- (3) Subject to subsection (4) of this section, the allowable cost shall not exceed the amount arrived at by taking for each dwelling provided or improved £1,000 or such other sum as the Minister may by order specify, unless the case belongs to a class with respect to which the Minister, on being satisfied that there is good reason for doing so, has determined a higher amount or the Minister is satisfied that in the circumstances of the particular case there is good reason for determining a higher amount.
- (4) Where the dwelling is one in which the housing authority have acquired an estate or interest for the purpose of improving it or is a dwelling provided by the conversion of a house or other building in which the housing authority have acquired an estate or interest for the purpose of converting it into dwellings, subsection (3) of this section shall have effect, with respect to the dwelling, as if £1,250 or such other sum as the Minister may by order specify were substituted for that specified by or under that subsection.

- (5) The improvement contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works required for the provision or improvement of the dwellings are completed, equal to three-quarters of the annual loan charges referable to the allowable cost.

## **19 Standard contributions**

- (1) The Minister may pay a standard contribution with respect to any dwelling if an application therefor containing such estimates and particulars as he may require is made by a housing authority and approved by him.
- (2) A standard contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works required for the provision of the standard amenities are completed, equal to three-quarters of the annual loan charges referable to the allowable cost.
- (3) Subject to the following provisions of this section, the allowable cost with respect to any standard amenities shall be one-half of the cost shown to have been incurred in carrying out the works required for providing them.
- (4) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the Minister, attributable to the provision of the standard amenity or standard amenities shall be taken into account under subsection (3) of this section.
- (5) There shall be a limit on the allowable cost, which shall be determined in accordance with Part III of Schedule 1 to this Act.

## **20 Effect of standard contribution on amount of improvement contribution**

Where an application for an improvement contribution with respect to any dwelling is approved after the approval of an application for a standard contribution with respect to the same dwelling section 18 of this Act shall apply in relation to that dwelling as if the limit imposed by or under subsections (3) and (4) of that section were reduced by the amount of the allowable cost determined under section 19 of this Act.

## **21 Contributions for dwellings provided or improved by housing associations under arrangements with local authorities**

- (1) Where any arrangements between a local authority and a housing association under section 121 of the Act of 1957 (arrangements for provision of dwellings by conversion or for improvement of dwellings) are made after the passing of this Act the following provisions of this section shall apply (and accordingly section 12 of the Housing (Financial Provisions) Act 1958 and section 12 of the Housing Subsidies Act 1967 shall not apply).
- (2) The approval of the Minister, both to the making of the arrangements and to the terms thereof, may be given either generally to local authorities or to any local authority or class of local authority or in any particular case and may be given unconditionally or subject to any conditions.
- (3) The Minister shall pay a contribution towards the cost of carrying out the arrangements if an application therefor containing such particulars and estimates as the Minister may require is made by the local authority and the local authority certify, in such

form as the Minister may direct, that the arrangements and the terms thereof comply with any conditions subject to which his approval was given, and that in their opinion the dwellings will provide satisfactory housing accommodation for such period and conform with such requirements with respect to construction and physical conditions and the provision of services and amenities as may for the time being be specified for the purposes of this section by the Minister.

- (4) The Minister shall determine an amount as the allowable cost for the purposes of the contribution and that amount shall, subject to the limit imposed by or under the following provisions of this section, be one-half of the aggregate of—
  - (a) the amount certified by the local authority as appearing to them to be the cost proper to be incurred by the housing association for the purpose of executing any work required under the arrangements ; and
  - (b) the amount certified by the local authority as being the cost incurred by the housing association in acquiring any estate or interest in any building or dwelling with a view to entering into or for the purpose of carrying out the arrangements.
- (5) Subject to subsection (6) of this section, the allowable cost shall not exceed the amount arrived at by taking for each dwelling provided or improved £1,000 or such other sum as the Minister may by order specify, unless the case belongs to a class with respect to which the Minister, on being satisfied that there is good reason for doing so, has determined a higher amount or the Minister is satisfied that in the circumstances of the particular case there is good reason for determining a higher amount.
- (6) Where the dwelling is one in which the housing association have acquired an estate or interest with a view to entering into the arrangements or for the purpose of carrying them out or is a dwelling provided by the conversion of a house or other building in which the housing association have acquired an estate or interest with that view or for that purpose, subsection (5) of this section shall have effect, with respect to that dwelling, as if £1,250 or such other sum as the Minister may by order specify were substituted for that specified by or under that subsection.
- (7) The contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works carried out in pursuance of the arrangements are completed, equal to three-quarters of the annual loan charges referable to the allowable cost; and for the purposes of this subsection the definition of " annual loan charges " in section 86(5) of this Act shall have effect as if the reference to a housing authority were a reference to a housing association.
- (8) A contribution under this section shall be paid to the local authority, who shall pay to the housing association by way of annual grant an amount not less than the contribution.
- (9) Where a dwelling is provided or improved by a housing association in pursuance of arrangements in respect of which a contribution is paid under this section, no grant under this Part of this Act shall be made to the housing association towards the cost of improving the dwelling.
- (10) The Greater London Council shall be a local authority for the purposes of this section.

*Power to vary contributions*

**22 Power to vary contributions**

- (1) The Minister may by order vary, with respect to grants, improvement contributions or standard contributions made in pursuance of applications approved after such date as may be specified in the order, or with respect to contributions made under the preceding section in pursuance of arrangements made after a date so specified, the sum payable annually under section 16, or as the case may be, section 18, 19 or 21 of this Act.
- (2) An order under this section—
  - (a) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament; and
  - (b) shall not specify a date earlier than the date of the laying of the draft;and before laying such a draft the Minister shall consult with such associations of local authorities as appear to him to be concerned and with any housing authority with whom consultation appears to him to be desirable.
- (3) The council of a county shall be a local authority for the purposes of this section.

*Supplemental*

**23 Statement of reasons for not approving application for grant or fixing less than maximum for improvement grant**

Where a local authority do not approve an application for a grant under this Part of this Act or fix the amount of an improvement grant at less than the maximum authorised by section 5 of this Act they shall state to the applicant in writing their reasons for doing so.

**24 Assistance for works specified in applications for grants under former enactments**

For the purpose of allowing an application for an improvement grant or standard grant to be made notwithstanding that all or some of the works to be specified therein were specified in an application (made before the commencement of this Act) for an improvement grant under section 30 of the Housing (Financial Provisions) Act 1958 or a standard grant under section 4 of the House Purchase and Housing Act 1959, the local authority shall allow that application to be withdrawn, whether or not it has been approved, unless they are satisfied that the works specified in the application have been begun.

**25 Special provisions as to parsonages, almshouses, etc.**

Sections 2(6) and 8(4) of this Act do not apply in relation to—

- (a) an application for a grant under this Part of this Act in respect of glebe land or the residence house of an ecclesiastical benefice made, during a period when the benefice is vacant, by a sequestrator of the profits thereof; or
- (b) an application for such a grant in respect of a building held upon trust for use as an almshouse or as the residence of a minister of any religious denomination

made by the trustees exercising the powers of management of the trust estate ;  
or

- (c) an application for such a grant made on behalf of a charity where land to which the application relates is land which, or an interest in which, is vested in the official custodian for charities or any other custodian trustee in trust for the charity;

and do not apply in relation to any land which is proposed to be sold or leased to the applicant under section 105(2) of the Act of 1957 (power to dispose of land for the purpose of carrying out works in connection with work on an adjoining house).

## 26 Local authorities for purposes of Part I

The local authorities for the purposes of this Part of this Act are the councils of boroughs, urban districts and rural districts and the Common Council of the City of London.

## 27 Interpretation

In this Part of this Act—

" house in multiple occupation " means a house which is occupied by persons who do not form a single household;

" housing authority " means the council of a county, county borough, London borough or county district, the Greater London Council, the Common Council of the City of London, the Commission for the New Towns or a development corporation within the meaning of the New Towns Act 1965 ;

" improvement " includes alteration and enlargement and such repairs and replacements as are either incidental to some other improvement or needed (in the opinion of the person paying any grant or contribution) for the purpose of making the other improvement fully effective;

" improvement grant " has the meaning assigned to it by section 1(2) of this Act;

" prescribed ", except where the context otherwise requires, means prescribed by regulations made by the Minister ;

" special grant " and " standard grant " have the meanings assigned to them by section 1(2) of this Act.