HOME AFFAIRS COMMITTEE.

THE HOUSING BILL.

Note by the Minister of Health.

I circulate a draft of The Housing Bill together with an explanatory Memorandum.

A. J. Bosanquet.

February 19th, 1923.
A. General Scheme of the Bill.

1. The principal objects of this Bill are:

(a) To get rid of the unlimited liability of the State for all losses exceeding the produce of 1d. rate on housing schemes and slum improvement schemes carried out by Local Authorities, which is imposed by the Housing, Town Planning, &c., Act 1919.

(b) To enable the State for a limited period to assist the provision of working-class houses of small type by private enterprise or by Local Authorities, by means of a grant of a fixed annual subsidy per house for a term of years, paid through the Local Authorities.

(c) To encourage the building of other working class houses by enabling the Local Authorities to provide credit facilities for builders.

(d) To make simplifications in the Small Dwellings Acquisition Act 1899 (which was designed to encourage owner-occupiership) with a view to extending the operations under that Act.

(e) As regards slum improvement schemes to make statutory provision for the administration of the grant, not exceeding £200,000 a year which has been promised by the Government towards the annual losses incurred by Local Authorities in carrying out such schemes. This limited annual State contribution will supersede the liability, to which the State was subject under the Act of 1919, for all losses on slum improvement schemes where Local Authorities were already committed to expenditure on Housing schemes under that Act involving a charge equivalent to a 1d. rate.
As regards the subsidies for house building, the general intention is that these should apply only to houses of the smallest type, being the houses which unaided private enterprise is not likely to undertake for some time to come, and that the subsidies shall only be available for houses built within the period up to the termination of the Rent Restriction Act.

The subsidy will be adjusted so that it amounts approximately to one half the estimated annual loss on such houses equated over a period of say 20 years. The figure is still being negotiated with the local authorities. The State contribution will be the same whether the houses are built by private enterprise or by the Local Authorities and the Local Authorities will have full financial responsibility for any loss in excess of the State grant on houses built by themselves and for payments made to private builders in excess of the State contribution. While the State grant will be available on the same basis for houses built by private enterprise or by the Local Authorities it is intended that Local Authorities should make buildings by private enterprise the first line of attack.

In addition to the principal objects outlined above the Bill contains a number of provisions for removing difficulties and simplifying procedure in connection with house building and dealing with slums and unsatisfactory houses. The proposals for getting rid of obsolete bye-laws and modifying bye-laws as to streets so as to assist estate development may be specially mentioned.

2. Clause 1.

The general intention of this clause providing for Government subsidy has already been described.
Sub-Clause 1. The conditions to be made by the Minister will comprise maximum and minimum sizes of houses to which grant will apply, minimum specification and machinery in connection with the grant, e.g., audit.

Sub-Clause 2. The grant for slums is intended to be administered on the basis of securing a contribution from the local authority at least equivalent to the State contribution. In connection with any scheme an estimate will be made of the average annual loss. The State's maximum annual contribution will be fixed at one-half this estimate.

Sub-Clause 3. This is to provide that local authorities and private persons shall not be dammified by reason of having proceeded in anticipation of the passing of the Act.

Sub-Clause 5. Repeals the liability of the State (a) to contribute to losses of local authorities in excess of 1d. rate, (b) to make grants of part of the charges on loans raised by Public Utility Societies or by County Councils for housing their employees. The position as regards anything already done under the sections governing these matters is safeguarded.

3. Clause 2.

This clause applies to houses built by private enterprise to which the Exchequer Grant will be applicable. Local authorities may adopt any or all of the following methods:— (a) Make capital grants to builders. The authorities are empowered to borrow to provide the funds for these grants. The State annual contribution will be available to meet part of the annual charge on the loans raised for this purpose.
(b) Make an allowance for a limited period to the person paying the rates on an assisted house by way of refund of the whole or some part of the rates on the house. This enables the local authority if they so desire to grant assistance by annual payments instead of capital payment. The method adopted attaches the payment to the house.

(c) Undertake to pay the loan charges on part of an advance made by a building society.

Sub-Clause 3 is designed to prevent abuses arising through a person obtaining a capital grant for a house complying with the conditions and then converting the house into one of a different kind. The clause provides that for a period of five years there shall be no addition to or enlargement of the house except with the consent of the local authority. The period of five years is an arbitrary one. It is desirable on the one hand to prevent any change in the character of the house while shortage continues and on the other hand to avoid hedging houses round with restrictions which will make private enterprise unwilling to embark on building. As regards houses for which local authorities make rate allowances or payments to building societies, the authorities will make the continuance of these annual payments subject to similar conditions.


This Clause is to enable the Minister to exercise a discretion as to the payment of subsidy on a house which for sufficient reason is not completed within the specified time.


This Clause enables a local authority to lend money to persons proposing to build houses or to guarantee part of the repayment of loans advanced by building societies. The exercise of this power involves no State subsidy. It is intended for use in regard to houses of a larger type, though it can also be used in regard to the smaller non-subsidised houses.
Power is given to lend during construction but in that case the local authority may not lend more than 50% of the value of the work done at the time of the advance.

As regards the building society proposals it is anticipated that local authorities may arrange to guarantee an advance lent by a society (in so far as the advance exceeds what the Society would ordinarily lend) until the loan is reduced to the normal amount.

This provision like the one in Clause 3 is a temporary one.

6. Clause 5.

Under Section 15(d) of the Housing Act, 1919 a house built by a local authority if sold must be subject to the condition that it cannot be used by the owner for housing a person in his employment: the section aims at preventing the houses becoming tied houses.

Under Section 15(2) where houses or land for the erection of houses are sold by a local authority, the authority must make various conditions, the chief of which is that they must limit the amount of rent to be charged for the houses sold or built on the land disposed of.

These conditions militate seriously against sales and it is proposed to repeal the subsections. This was recommended by the Geddes Committee and a similar provision was included in the Economy (Miscellaneous Provisions) Bill.

7. Clause 6. This clause is proposed mainly to meet a difficulty which is met with in connection with London County Council schemes.
In the ordinary case where a local authority carries out an approved housing scheme within its own area, any roads constructed become highways repairable by the inhabitants at large and are maintained by the highway authorities. The London County Council has carried out some housing schemes in the area of Metropolitan Boroughs (for which the borough is the highway authority) and some outside the county. In some cases the highway authorities have raised difficulties about taking roads over. The clause will put these roads in the same position as if they had been made in connection with a housing scheme carried out by the local authority in whose district they are.

Sub-clause 2 is to meet some cases where the London County Council have carried out housing schemes which have been fully approved by the Minister, but the local authority in whose district the houses are situate refuse to issue habitation certificates because the urban district council do not consider that the houses comply in all respects with the local bye laws.

8. Clause 7. This is a clause proposed by the L.C.C. arising out of their experience in dealing with slum areas and is designed to secure co-operation between the Council and the licensing justices. The local authority are empowered to contribute towards any amount payable as compensation on the refusal of the renewal of the licence and the compensation authority are empowered to contribute out of the compensation fund towards compensation in respect of the acquisition by the local authority of licensed premises.
9. **Clause 8.** This is a consolidating and simplifying proposal. Part I of the Housing Act 1890 deals with schemes for the improvement of unhealthy areas and is intended generally to deal with areas of considerable size. Part II of that Act deals with unsatisfactory houses including aggregations of houses which in fact may be undistinguishable from the Unhealthy Areas to which Part I relates.

There are a considerable number of minor differences in procedure and in connection with assessment of compensation which rest on no logical basis and merely serve to produce confusion. This state of things arises because the Act of 1890 was a rough kind of consolidating measure; Part I was taken from one set of old Acts and Part II from another. It is proposed by this clause to assimilate the procedure etc. under both parts to that relating to Part I.

In London the County Council is the sole authority for Part I schemes; there is a concurrent jurisdiction for Part II schemes (except in the case of very small schemes) though the County Council may contribute to a Part II scheme carried out by a Borough Council and vice versa. A Part II scheme relating to not more than 10 houses must be dealt with by the Borough Council. Sub-clause II of clause 8 is consequential on sub-clause I in its application to London. There is something to be said for transferring the power of carrying out Part I and II schemes entirely to the County Council.
Council, but cases arise where a borough council is prepared to go on with a scheme which the County Council would not be willing to take up immediately and the clause as drawn will permit this,

10. **Clauses 9, 10 and 11.**

These clauses are proposed with a view to simplifying future consolidation and to get rid of confusion which arises on account of varying provisions in different parts of the Housing Acts.

11. **Clause 12.**

Section 15 of the Housing Act 1909 and Section 28 of the Act 1919 deal with substantially the same matter, the repair of unsatisfactory houses.

Difficulty as to the interpretation of these sections has arisen owing to conflicting decisions of the High Court. It is proposed to repeal the earlier section and to make clear that an owner has a right to appeal before works are carried out by a local authority as well as on receipt of demand for payment of expenses incurred by the Local Authority.

Sub-clause c repairs an omission in the existing law. At present while a local authority can allow an owner to repay over a period of years costs incurred by the Authority in carrying out improvements to houses in default of the owner, they have no power to spread their own expenditure over a period of years. In some cases this prevents local authorities from taking action.

It is a matter for consideration whether appeal under this clause should not be to the Justices instead of to the Minister.

14. **Clause 13.**
14. **Clause 13.**

At present where a local authority have been given power to carry out a Part I. scheme they cannot enter on any property for the purpose of proceeding with the scheme until the whole question of compensation is settled.

This frequently results in considerable delay.

In connection with Part II. schemes there is provision for entry, but only upon compliance with the cumbersome procedure of the Lands Clauses Acts. The clause provides for a right of entry with proper safeguards as to compensation.

15. **Clause 14.**

House builders contend that one of the great difficulties in the way of revival of house building is the cost of street works, which they maintain are made very expensive by the operation of insufficiently elastic bye-laws. The clause will enable a local authority to look on the development of an estate as a whole and to permit lighter construction in the less important streets. Where construction of a lighter kind is permitted, it will usually be desirable to impose certain conditions on the owner of adjoining land. Under the existing law these conditions cannot be enforced against future owners of the land, and sub-clause (2) is intended to meet this point.

16. **Clause 15.** This is intended to remedy a defect in Section 44 of the Act of 1909, which in practice has been found to be unworkable owing to the necessity under that Section of proving that the erection of dwellings has in fact been 

imbued

as a result of the restrictive character of the bye-laws.

17. **Clause 16.** This clause applies the provisions of the Acquisition of Land Act to the settlement of questions of compensation and betterment arising under a Town Planning scheme.
18. **Clause 17.**

The Council of every Borough and Urban District with a population of more than 20,000 is required under the Act of 1919 to submit a Town Planning Scheme within three years from 1st January, 1923. This clause extends the period to 6 years - the extension is desired by the local authorities and is necessary.

19. **Clause 18.**

Amendment to the Small Dwellings Acquisition Acts. The requirement that the owner of a house must occupy the house may render the house almost unsaleable and it is proposed to limit this requirement to 5 years.

Local authorities are given a complete discretion as to the amount of loan which may be advanced and provision is also made for advances as the building of a house progresses.

Further clauses will be required to provide for the scheme of dealing with the less hopeless slum areas, which has been approved by the Housing Committee of the Cabinet and is to be discussed at the meeting of the Home Affairs Committee on the 21st of February.
DRAFT
OF A
BILL

Amend the enactments relating to the Housing of the Working Classes, Town Planning (including the construction of new streets), and the Acquisition of Small Dwellings.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same,

PART I.
AMENDMENTS OF HOUSING ACTS.

1.—(1) The Minister of Health (hereinafter referred to as the Minister) may, subject to such conditions as he may think fit to impose, make, or undertake to make contributions out of monies provided by Parliament towards:
(a) any expenses incurred by a local authority for the purposes of Part III of the Housing of the Working Classes Act, 1890 (hereinafter referred to as the principal Act), in assisting in accordance with section two of this Act persons or bodies of persons constructing houses of such type and size as may be specified in such conditions as aforesaid and completed before the first day of July, nineteen hundred and twenty-five;
(b) any losses incurred by such an authority in themselves providing such houses;

Government contributions to expenses and losses of local authorities in assisting construction of houses.
so, however, that such a contribution shall not exceed the sum of for each house in respect of which the contribution is made, payable annually for a period not exceeding years.

(2) The Minister may, with the approval of the Treasury, make or undertake to make contributions out of moneys provided by Parliament towards the expenses incurred by a local authority in carrying out a re-housing scheme in connection with a scheme made under Part I. or Part II. of the principal Act (including the acquisition, clearance, and development of land included in the last-mentioned scheme, and whether the re-housing will be effected on the area included in that scheme or elsewhere), of such amounts, for such periods, and subject to such conditions as, with the approval of the Treasury and after consultation with the local authority, the Minister may determine. However, that the annual contributions made in respect of any re-housing scheme shall not exceed one-half of the estimated average annual loss likely to be incurred by the local authority in carrying out the scheme.

(3) Where before the passing of this Act a local authority has submitted to the Minister proposals for assisting persons or bodies of persons undertaking to construct houses, or for the provision of houses by the local authority themselves, and such proposals have been approved by the Minister, contributions may be made under this section in like manner as if the assistance had been given or the houses provided after the passing of this Act.

(4) References in this section to local authorities shall in any case where the powers of a local authority have been transferred to a county council include such county council.

(5) Sections seven and nineteen of the Housing, Town Planning, &c. Act, 1919, and any enactments amending those sections, are hereby repealed; but this repeal shall not affect the validity of any regulations made thereunder or the power to amend such regulations, or any liability of the Minister to pay any sum which under the said sections and regulations he has undertaken to pay, or any liability of the London County Council to make repayments to councils of metropolitan boroughs thereunder, or the terms and
conditions on which the Public Works Commissioners may lend for the purposes of a scheme towards the losses of which the Minister is liable to contribute under the said section seven.

5. 2.—(1) Local authorities for the purposes of Part III. of the principal Act, may, in accordance with schemes [proposals] submitted by them to the Minister approved by him, assist persons and bodies of persons constructing or undertaking to construct houses, being houses which comply with the conditions required to be fulfilled in order that contributions may be made by the Minister under this Act in respect of them.

(2) Assistance under this section may be given in any of the following ways; that is to say, the local authority may—

(a) make grants by way of lump sum;
(b) undertake to refund, during such period as may be specified in the scheme, to the person by whom the rates on any house are payable, the whole or any part of the rates paid by him in respect thereof;
(c) where the person to be assisted is a member of a building society who, for the purpose of building a house, has obtained advances from the building society, undertake to meet any part of the periodical sums payable by him to the building society by way of interest or repayment of such advances.

(3) Where a local authority make a grant under this section in respect of a house, it shall be subject to the condition that during the period of five years from the commencement of this Act [qu. payment of the grant] the house shall be used as a separate dwelling-house, and that no addition thereto or enlargement thereof shall be made without the consent of the local authority, and in the event of any breach of this condition the amount of the grant paid shall be recoverable by the local authority from the owner for the time of the house, and shall be a charge on the premises having priority over all existing and future estates, interests, and encumbrances, with the exception of quitrents and other charges incident to tenure, and tithe rentcharge.
In this subsection, "owner" has the same meaning as in the Public Health Act, 1875.

(3) A local authority may, before granting assistance under this section in respect of any house, require security to be given that the house will be completed before the said first day of July, and that the other conditions subject to which the assistance is given will be observed.

(4) The raising of money for making grants under this section, shall be a purpose for which a local authority may borrow under Part III. of the principal Act.

(5) In the application of this section to the county of London, the London County Council shall, to the exclusion of any other authority, be the local authority for the purposes of Part III. of the principal Act.

3. The failure to complete a house before the said first day of July shall not render illegal or invalid any contribution made or assistance given, or any undertaking to make a contribution or give assistance, in respect of a house if the house is completed before the thirtieth day of September, nineteen hundred and twenty-five, and if the Minister is satisfied that the construction of the house was begun within a reasonable time and that the failure to complete the house before the said date was due to circumstances over which the person constructing the house had no control.

4.—(1) In addition to or in lieu of granting such assistance as is mentioned in section two of this Act such local authority as is mentioned in that section may, subject to such conditions as may be approved by the Minister, at any time within two years after the passing of this Act, advance money to persons or bodies of persons constructing or undertaking to construct houses in respect of which they are authorised to grant such assistance as aforesaid, subject to the following provisions:

(a) The advance shall be secured by mortgage, and the mortgage deed may provide for repayment being made either by instalments of principal or by an annuity of principal and interest combined; so, however, that in the event of any of the conditions subject to which
(b) the advance may be made by instalments from time to time as the building of the house progresses, so that the total of the advance does not at any time exceed fifty per cent. of the value of the work done up to that time on the construction of the house, including the value of the site thereof.

(2) Any such local authority as aforesaid may subject to such conditions and within such time as aforesaid undertake to guarantee the repayment to a building society of any advances made by the society to any of its members for the purpose of enabling them to build any such houses as aforesaid.

(3) The raising of money for making any such advance, or for fulfilling any such guarantee, shall be a purpose for which a local authority may borrow under Part III. of the principal Act.

5. In section fifteen of the Housing, Town Planning, &c. Act, 1919 (which relates to the powers of local authorities for dealing with land acquired or appropriated for the purposes of Part III. of the Housing of the Working Classes Act, 1890), the proviso to paragraph (d) of subsection (1) and subsection (2) shall be repealed.

6.—(1) Where a housing scheme to which this section applies has been carried into effect by a local authority outside their own area, and for the purposes of the scheme roads have been constructed by that local authority, then, if the Minister certifies that the roads have been constructed and laid out in accordance with plans and specifications approved by him, the liability to maintain the roads shall vest in the council of the borough or district in which the scheme was carried out.

(2) Where such a scheme has been carried out by a local authority outside their own area, no habitation certificate shall be required from the council of the borough or district in which the houses are situate in respect of any houses provided under the scheme which
5. Where the land included in a scheme made, whether before or after the passing of this Act under Part I. or Part II. of the principal Act, comprises premises in respect of which an old on-licence is in force, the following provisions shall have effect:

(1) if on the application of the local authority by which the scheme is made, the renewal of the licence is refused, that local authority may contribute such sum as they think fit towards the amount assessed as compensation upon the refusal of the renewal of the licence, and any sum so contributed shall be payable as part of the expenses of carrying out the scheme;

(2) Where the local authority acquire the premises in pursuance of the scheme, under the Licensing (Consolidation) Act, 1910, may contribute out of the compensation fund such sum as they think fit towards the amount assessed as compensation in respect of the acquisition of the premises.

8.—(1) All the provisions of the Housing Acts referring to the procedure for making, confirming, and carrying out of schemes under Part I. of the principal Act, and as to the assessment of compensation for land taken under such a scheme, shall apply in the case of schemes under Part II. of that Act in lieu of the provi-
sions now governing such matters in relation to such A.D. 1923.

(2) As respects the County of London, both the London County Council and the metropolitan borough councils shall be local authorities for the purposes of schemes under Part I. and under Part II. of the principal Act, subject to this qualification that where the scheme relates to not more than ten houses the council of the metropolitan borough to the exclusion of the county council shall be the local authority, without prejudice, however, to contributions being made by metropolitan borough councils to the county council and by the county council to the metropolitan borough councils in accordance with the provisions of section forty-six of the principal Act as amended by any subsequent enactment.

9.—(1) The provisions of the Housing Acts relating to compensation for obstructive buildings, which are dwelling-houses, and the assessment thereof, shall apply to the case of obstructive buildings which are not dwelling-houses.

(2) The compensation payable in respect of the demolition of an obstructive building, the site whereof is retained by the owner, shall be assessed by an official arbitrator under the Acquisition of Land (Assessment of Compensation) Act, 1919, and the provisions of that Act, other than section two thereof, shall apply accordingly, notwithstanding that no land is acquired compulsorily.

10.—(1) So much of the Housing Acts as requires receipt and expenditure of a local authority under Part I. or Part III. of the principal Act to be paid into and out of the Dwelling House Improvement Fund shall cease to have effect.

(2) Every local authority shall keep separate accounts of their receipts and expenditure—

(a) under Part I. and so much of Part II. of the principal Act as relates to reconstruction schemes;

(b) under so much of Part II. of the principal Act as does not relate to such schemes;

(c) under Part III. of the principal Act.
Service of notices, &c.

(a) by delivering it to the person on whom it is to be served; or
(b) by leaving it at the usual or last-known place of abode of that person; or
(c) by forwarding it by post in a pre-paid letter addressed to that person at his usual or last-known place of abode; or
(d) if addressed to the "owner" or "occupier" of premises, by delivering it to someone on the premises, or if there is no person in the premises on whom it can be so served, then by affixing it to some conspicuous part of the premises.

Any notice, order, or other document which is by the Housing Acts required or authorised to be served on the owner or occupier of any premises may be addressed to the "owner" or "occupier" of the premises (naming them) without further name or description.

Nothing in this section shall affect the provisions of the Housing Acts relating to the service of notices, summons, writs and other proceedings at law or otherwise required to be served on local authorities under those Acts.

Repairs of houses.

A notice given by a local authority under that section shall specify what works are to be executed as being necessary to make the house in all respects reasonably fit for human habitation:

The owner may appeal to the Minister against any notice requiring him to execute works under that section, and against any demand for the recovery of expenses from him under that section or an order made by the local authority with respect to those expenses under that
section, by giving notice of appeal to the Minister within twenty-one days after the notice is received or the demand or order is made (as the case may be) or such longer time as the Minister may allow, and no proceedings shall be taken in respect of any notice, demand, or order whilst the appeal is pending:

Provided that no appeal against such a demand or order shall lie if and so far as the appeal raises any question which might have been raised on an appeal against the notice itself:

(c) The raising of money to defray the expenses of repairs executed by a local authority under that section shall be a purpose for which the local authority may borrow.

13.—(1) Where a scheme under Part I. or Part II. of the principal Act has been made and confirmed and schedules of the lands proposed to be taken compulsorily thereunder have been deposited in accordance with paragraph (1) of the Second Schedule of that Act, the local authority may at any time after giving not less than fourteen days' notice to the owner and occupier of the land, enter on and take possession of any part of the land included in the schedules and specified in the notice, without the necessity of making any such deposit as is mentioned in paragraph (24) of that schedule, but subject to the payment of the like compensation for the land to which possession is taken, and interest on the compensation awarded, as would have been payable if the entry had been made in pursuance of the said paragraph (24).

(2) Where a local authority have agreed to purchase land for the purposes of a scheme under Part I. or Part II. of the principal Act subject to the interest of the person in possession thereof, and that interest is not greater than that of a tenant for a year or from year to year, the local authority shall have the like power to enter upon and take possession of the land as is, in the case of land agreed to be purchased for the purposes of Part III. of the principal Act, conferred upon them by subsection (2) of section ten of the Housing, Town Planning, &c. Act, 1919, and that subsection shall apply accordingly.
14.—(1) Where a person proposing to construct a new street submits plans and specifications thereof to the local authority, the local authority may, subject to regulations made by the Minister under this section, approve the plans and specifications notwithstanding that they do not comply with the requirements of any building byelaws in force in the district, and where such an approval has been given and the street is constructed and laid out in accordance with the plans and specifications so approved, the provisions of such byelaws shall not apply to the street so far as they are inconsistent with the plans and specifications so approved.

(2) The local authority may, as a condition of giving such approval, require such person as aforesaid to enter into a covenant or agreement with them with respect to the user of any land belonging to him and abutting on the new street or for the future appropriation of any part thereof for the purposes of widening the street, and where any such covenant or agreement has been entered into, the authority shall have power to enforce such covenant or agreement notwithstanding that they are not in possession of or interested in any land for the benefit of which the covenant or agreement was entered into, in the same manner and to the same extent as if they had from the date on which the covenant or agreement was entered into been possessed of or interested in such land.

(3) For the purposes of this section—

"Local authority" means the borough or district council.

"Building byelaws" has the same meaning as in the Housing, Town Planning, &c. Act, 1919, with respect to new streets.

[(4) This section shall not apply to the administrative county of London.]
PART II. A.D. 1923.
TOWN PLANNING, &c.

16. Any question which under subsection (4) of section fifty-eight of the Housing, Town Planning, &c. Act, 1909, is to be determined by the arbitration of a single arbitrator appointed by the Minister shall be determined by the arbitration of an official arbitrator under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

17. The time within which councils of boroughs and urban districts are required by section forty-six of the Housing, Town Planning, &c. Act, 1919, to prepare and submit to the Minister town planning schemes shall be extended to six years from the first day of January, nineteen hundred and twenty-three, and accordingly subsection (1) of that section shall have effect as if for the words “three years” there substituted the words “six years.”

PART III.

20 AMENDMENTS OF THE SMALL DWELLINGS ACQUISITION ACTS.

18.—The Small Dwellings Acquisition Act, 1899, shall have effect subject to the following amendments:

(a) An advance under that Act may be made to a person intending to construct a house, and in such case the limitation in that Act requiring that the person to whom the advance is made must be resident in the house, shall be construed as requiring that the person should be a person intending to reside in the house when constructed:

(b) The statutory condition requiring the proprietor of a house in respect of which an advance has been made to reside in the house shall have effect for a period of five years from the date when the advance is made, but no longer, and compliance with this condition may at any time be dispensed with by the local authority:

(c) The amount of an advance under that Act shall be such as the local authority may determine, and any restrictions on the amount which may...
be advanced in respect of any house by a local authority shall cease to have effect:

(d) Where an advance is made in respect of a house in course of construction, the advance may be made by instalments from time to time as the building of the house progresses, so that the total advance does not at any time exceed fifty per cent. of the value of the work done up to that time on the construction of the house including the value of the site thereof:

[(e) Paragraph (f) of subsection (1) of section three of that Act, which makes it a statutory condition that the local authority shall have power to enter the house, is hereby repealed.]

PART IV.

GENERAL.

19. This Act shall apply to Scotland, subject to the following modifications:—

20.—(1) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(2) This Act shall not extend to Northern Ireland.

21.—(1) This Act may be cited as the Housing, &c. Act, 1923.

(2) The Housing Acts, 1890 to 1921, and Part I. of this Act, may be cited together as the Housing Acts, 1890 to 1923, and are in this Act referred to as the Housing Acts.

(3) The Housing (Scotland) Acts, 1890 to 1921, and Part I. of this Act as applied to Scotland, may be cited together as the Housing (Scotland) Acts, 1890 to 1923, and are in this Act in its application to Scotland referred to as the Housing Acts.


(5) The Small Dwellings Acquisition Acts, 1899 and 1919, and Part III. of this Act, may be cited together as the Small Dwellings Acquisition Acts, 1899 to 1923.
### SCHEDULE.

**Enactments repealed,**

<table>
<thead>
<tr>
<th>Session and Chapter</th>
<th>Short Title</th>
<th>Extent of Repeal</th>
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<tr>
<td>5 33 &amp; 34 Vict. c. 70.</td>
<td>The Housing of the Working Classes Act, 1890.</td>
<td>In section seven paragraphs (c) and (d). Section twenty-four. Subsection (7) of section thirty-nine. Subsections (3), (7), (8), (9), (10) and (11) of section forty-one. Section forty-nine. Paragraph (4) of section sixty-five. In section one the words from &quot;any advance shall not&quot; to &quot;the ownership; nor&quot; and the word &quot;and.&quot; Paragraph (f) of subsection (1) of section three. Subsection (1) of section thirteen. Subsections (3), (4), (5), (6), (7) and (8) of section fifteen. Section thirty. Section seven. Proviso (d) to subsection (1) of section fifteen, and subsection (2) of the same section. Section nineteen. Sections one, two, three and four. Section one and section eight.</td>
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<td>15</td>
<td>62 &amp; 63 Vict. c. 44.</td>
<td>The Small Dwellings Acquisition Act, 1899.</td>
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<td>9 Edw. 7. c. 44.</td>
<td>The Housing, Town Planning, &amp;c. Act, 1903.</td>
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<td>9 &amp; 10 Geo. 5. c. 35.</td>
<td>The Housing, Town Planning, &amp;c. Act, 1919.</td>
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<td>11 &amp; 12 Geo. 5. c. 19.</td>
<td>The Housing Act, 1921.</td>
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Housing, &c.

DRAFT OF A BILL

To amend the enactments relating to the Housing of the Working Classes and the Acquisition of Small Dwellings and the law relating to new streets.

XL. (3.)

19th February 1923.