



Housing (Scotland) Act 2006

2006 asp 1

PART 1

HOUSING STANDARDS

CHAPTER 1

HOUSING RENEWAL AREAS

Designation of housing renewal areas

1 Housing renewal areas: criteria

A local authority may by order designate any locality in its area as a housing renewal area (“HRA”) if it considers—

- (a) that a significant number of the houses in the locality are sub-standard, or
- (b) that the appearance or state of repair of any houses in the locality is adversely affecting the amenity of that locality.

2 Housing renewal areas: procedure

- (1) An order designating any locality as an HRA (an “HRA designation order”) must—
 - (a) set out the reasons for the designation by reference to section 1, and
 - (b) include—
 - (i) an HRA action plan, and
 - (ii) a map delineating the HRA.
- (2) An HRA designation order may not be made unless the Scottish Ministers have approved a draft of the proposed order.
- (3) Schedule 1 makes further provision about the procedure for making HRA designation orders.

Status: This is the original version (as it was originally enacted).

3 HRA action plans

- (1) An HRA action plan is a strategy for securing an improvement in the condition and quality of housing in the HRA.
- (2) Such a plan must—
 - (a) identify each house in the HRA which the local authority considers to be sub-standard and, in relation to each, specify whether the local authority considers that the house—
 - (i) ought to be closed or demolished under Part 6 (houses which fail tolerable standard or constitute obstructive buildings) of the 1987 Act,
 - (ii) requires to be demolished under section 29 (dangerous buildings) of the Building (Scotland) Act 2003 (asp 8),
 - (iii) is in a state of serious disrepair and ought to be demolished, or
 - (iv) ought to have work carried out in or in relation to it for the purposes of bringing it into, and keeping it in, a reasonable state of repair,
 - (b) identify any house in the HRA which ought to have work carried out in or in relation to it for the purposes of enhancing the amenity of the HRA,
 - (c) specify—
 - (i) any standard to which any demolition required by the plan is to be carried out (including any standard to which the site of the demolished house must be cleared),
 - (ii) the work which the plan requires to be carried out,
 - (iii) any standard which must be met on completion of that work, and
 - (iv) any step which the local authority requires to be taken in carrying out that work,
 - (d) describe the general effect of Part 15 (compensation payments) of the 1987 Act and Part 2 (scheme of assistance) of this Act in so far as they apply in relation to houses identified in the plan, and
 - (e) specify the period within which the local authority intends to secure the implementation of the plan.
- (3) The work specified in an HRA action plan may include work which is intended to—
 - (a) improve the safety or security of any houses or persons,
 - (b) reduce the long-term costs of maintaining any houses, or
 - (c) enhance the amenity of any houses.
- (4) An HRA action plan may also specify work which ought to be carried out in or in relation to any house in the HRA which is adjacent to, or otherwise associated with, any house identified in it.

4 Variation of HRA designation order

- (1) The local authority may, on the request of the owner of any house identified in an HRA action plan as a house in or in relation to which work ought to be carried out, vary an HRA designation order.
- (2) The local authority must consult—
 - (a) the owner concerned, and
 - (b) any other person whom it considers likely to be affected by the proposed variation,

before deciding whether to vary an HRA designation order under subsection (1).

- (3) A variation under subsection (1) may vary the HRA action plan only; and may do so only so far as it affects the house owned by the person who made the request.
- (4) The local authority may, at any time, vary an HRA designation order in a way which it considers unlikely to adversely affect any person significantly.
- (5) The local authority must give notice of any variation made under subsection (1) or (4) to—
 - (a) any person whom it considers likely to be affected by the variation, and
 - (b) such other persons as it thinks fit.
- (6) The notice must—
 - (a) describe the general effect of the variation, and
 - (b) specify the places where, and the times at which, a copy of the HRA designation order as varied is to be made available under section 7.

5 Revocation of HRA designation order

- (1) The local authority must revoke an HRA designation order if it is—
 - (a) satisfied that the HRA action plan has been implemented, or
 - (b) directed to do so by the Scottish Ministers.
- (2) The local authority may, with the consent of the Scottish Ministers, otherwise revoke an HRA designation order at any time if it is satisfied that there has been a change in circumstances which justifies such a revocation.
- (3) Any work notice given for the purpose of implementing an HRA action plan is to cease to have effect on revocation of the HRA designation order which includes that plan.
- (4) The local authority must give notice of a revocation under subsection (1)(b) or (2) to any person whom it considers likely to be affected by the revocation.

6 Directions concerning identification of housing renewal areas

- (1) A local authority must comply with any directions given by the Scottish Ministers concerning identification of areas suitable to be designated as HRAs.
- (2) A direction given for the purpose of subsection (1) may—
 - (a) be given generally, or
 - (b) make different provision for different cases and, in particular, for different areas, different localities, different types of local authority or in respect of any particular local authority or authorities.
- (3) Such a direction may be varied or revoked at any time.

7 Public access to HRA designation orders

- (1) The local authority must make a copy of each HRA designation order in force for its area (including any variations) available for public inspection, free of charge.

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- (2) It is for the local authority to determine the form and manner in which, and the places where, a copy HRA designation order is made available; but in so doing the local authority must ensure that the copy order is made reasonably obtainable.

Implementation of HRA action plans

8 Implementation: duties of local authority

- (1) A local authority which has designated an HRA must take such steps as are reasonably practicable for the purposes of securing the implementation of the HRA action plan.
- (2) Those steps must include—
- (a) informing the owners and occupiers of houses identified in the HRA action plan about the way in which it intends to secure implementation of the plan, and
 - (b) from time to time, giving those owners and occupiers progress reports about the implementation of the plan.

9 Duty to rehouse displaced residents

- (1) This section applies where—
- (a) a person is to be displaced permanently from any living accommodation as a result of the implementation of an HRA action plan, and
 - (b) that living accommodation was the only or main residence of that person on the day on which notice of the relevant HRA designation order was first given in accordance with schedule 1.
- (2) Where this section applies the local authority must, if so requested by the person to be displaced, ensure—
- (a) that the person is provided with suitable alternative living accommodation on reasonable terms, and
 - (b) in so far as practicable, that the living accommodation which is so provided is in, or within a reasonable distance of, the locality of the living accommodation from which the person is to be displaced.
- (3) The reference in subsection (2) to suitable alternative living accommodation is a reference to living accommodation which is suitable for occupation by the person to be displaced and any other person whose only or main residence on the day referred to in subsection (1)(b) would, but for the location of that other person's place of work or of any educational institution which the person attends, have been the living accommodation concerned.