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

SCHEDULE 1
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, [^{F1} consider]any representations made during the period specified in the notice [^{F2} before deciding whether to make the HRA designation order.]—
 - ^{F3}(a)
 - ^{F3}(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.
- [^{F4}(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.]
- ^{F5}(6)

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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](#)

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