



Housing Renewal Area Policy

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1. Housing Renewal Areas

- 1.1 A Housing Renewal Area is a locality which has been formally designated by a local authority as requiring improvement in the condition and quality of housing within it.
- 1.2 Under Section 1 of the Housing (Scotland) Act 2006, an area may be designated a Housing Renewal Area where the Council considers:
- that a significant number of the houses in that area are sub-standard, and action is required to bring them into and keep them in a reasonable state of repair; or
 - that the appearance or state of repair of any houses in the locality is adversely affecting the amenity of the area, and action is required to enhance it.
- 1.3 Housing Renewal Areas require the mandatory provision of support to owners under the Scheme of Assistance, which may include financial support, practical support or advice and information. In South Ayrshire, the exact nature of this assistance will be determined on a project-by-project basis taking into account individual circumstances and the availability of Scheme of Assistance funding.
- 1.4 The legislation offers local authorities considerable discretion in determining whether either of the above criteria applies to an area, and in determining how areas are identified and prioritised. The Scottish Government guidance¹ notes that while in some cases there will be factual evidence (for example, where a property is BTS), in other cases decisions will involve some degree of discretionary judgement on the part of Council officers (for example, what condition would be classified as affecting the amenity of an area, or what is a 'significant number' of properties).
- 1.5 Because of this, the Scottish Government has introduced consultation requirements prior to localities being designated as Housing Renewal Areas, to ensure owners, tenants and other interested parties are given an opportunity to put their views across.

¹ Scottish Government (2009) 'Implementing the Housing (Scotland) Act 2006 Parts 1 and 2: Advisory Guidance for Local Authorities' <http://www.gov.scot/Publications/2009/03/25154921/14>

Benefits of a Housing Renewal Area

1.6 The primary benefits of designating a locality a Housing Renewal Area are as follows;

- **Amenity:** Housing which is having a negative impact on the visual amenity of an area can be addressed through Work Notices only if served within a Housing Renewal Area.
- **Safety and Security/Reducing long-term costs:** Works to improve safety and security (such as door entry systems) and works to reduce longer-term costs can be addressed through Work Notices only if served within a Housing Renewal Area.
- **Demolition:** Within a Housing Renewal Area, properties can be designated for demolition without a compulsory purchase order.
- **Regeneration:** Housing Renewal Area powers can help achieve wider regeneration strategies by supporting improvement in all of the above areas.

2. What do we aim to achieve through Housing Renewal Area Designation?

2.1 The purpose of this Housing Renewal Area Policy is to improve the condition and amenity of localities in our local authority area. It supports the aims of both the Council's Scheme of Assistance and its Local Housing Strategy 2017-2022.

2.2 The Council's Scheme of Assistance, reviewed in 2016-17, is concerned with '[promoting] greater responsibility amongst homeowners for the repair and maintenance of their homes', aiming to:

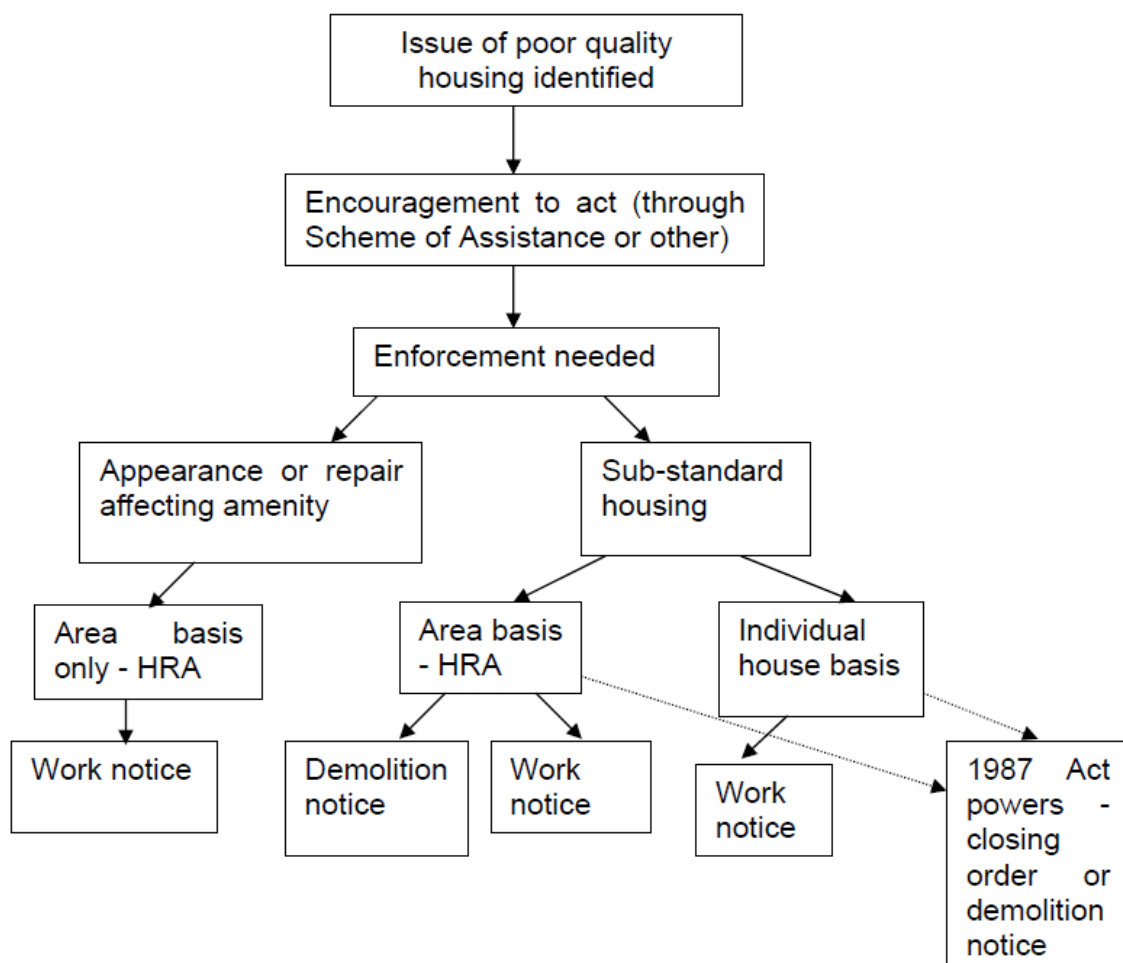
- Encourage owners to recognise they have the primary responsibility for maintaining their homes;
- More effectively address disrepair in private housing by maximising the use of the Private Sector Housing Grant (PSHG);
- Provide a fair and reasonable approach to providing assistance to help homeowners repair, improve and adapt their homes.

2.3 The aims of this Housing Renewal Area Policy also support the achievement of strategic outcomes set out in the Council's Local Housing Strategy 2017-2022 that:

- Properties in the private rented sector meet the Repairing Standard;
- Home-owners, landlords and tenants are aware of their rights and responsibilities and are supported to uphold them;
- Advice is available to help households reduce the risk of fuel poverty, and people across South Ayrshire are aware of how to access assistance.

3. Options available in responding to sub-standard housing, or housing affecting the amenity of an area

- 3.1 In responding to poor quality housing, in the first instance the Council will encourage voluntary action amongst owners by providing assistance. Examples of initial assistance may include advice and support through the Council's Scheme of Assistance or encouragement to act from the Empty Homes Officer.
- 3.2 Where this fails to result in the desired improvements to property condition, the Council's Leadership Panel will decide whether enforcement action should be taken, and what form this action should take.
- 3.3 The diagram below – and the table which follows - summarise the enforcement actions available to respond to poor quality housing locally.



(Extracted from Scottish Government Guidance 2009)

Issue	Possible solution	Enforcement Actions	Guidance
Substandard Housing	Housing Renewal Area – Area Basis	Work Notice	Can also require works to improve safety and security of any persons, or works to reduce long-term costs of maintenance
		Demolition Notice	
		Closing Order (1987 Act)	
		Demolition Order (1987 Act)	
	Outwith a Housing Renewal Area - Individual house basis	Work notice	Outwith a Housing Renewal Area, work notices can only be used on an individual house basis to deal with substandard housing, not amenity issues.
		Closing Order (1987 Act)	
Demolition Order (1987 Act)			
Property affecting the amenity of an area	Housing Renewal Area – Area Basis only	Work Notice	Work notices served as part of a Housing Renewal Area can also require work to enhance the amenity of an area.

4. Stage 1: Reviewing potential Housing Renewal Areas

4.1 Consideration of possible areas will be undertaken by the Housing Policy and Strategy team with support from colleagues in Environmental Health, Building Standards and other relevant Services.

Triggers for investigation

4.2 Triggers for further investigation of a locality in respect of designating it a Housing Renewal Area include:

- Identified works have not been carried out following offers of assistance and engagement with Council Officers;
- Complaints have been received by the Housing service, Environmental Health, Building Standards, Planning or other Council service and there is some evidence that relevant issues exist (i.e. substandard housing or property condition affecting amenity of area);
- Information collected about house condition locally indicates issues (BTS data, Scottish Indices of Multiple Deprivation, Scottish House Condition Survey etc.);
- Identification of areas with concentrations of substandard housing or poor visual amenity by Council officers (including Housing Officers, Empty Homes Officer, PRS Enforcement Officers, Environmental Health Officers etc.); and
- Information provided by partner organisations (including housing associations, housing advice providers, housing support workers, healthcare professionals etc.)

Housing Renewal Area Criteria – initial assessment

4.3 An initial assessment will be carried out by the Housing Policy and Strategy team. Officers will begin collating relevant information on the locality in question (with support from colleagues in other relevant Services where appropriate). In line with the legislation, three key criteria will be considered in determining whether an area should be designated as a Housing Renewal Area. These are as follows;

- A significant number of houses are sub-standard; **and/or**
- The appearance or state of repair of any house in the locality is adversely affecting the amenity of an area; **and**
- Officers believe that designating the locality a Housing Renewal Area is the most appropriate action to address these issues.

4.4 For the purposes of this policy, a 'significant number' will be determined on a case-by-case basis, but would generally mean 'more than half of the properties within the area under discussion'.

4.5 A house is 'sub-standard' if it is:

- Below the tolerable standard;
- In a state of serious disrepair; or
- In need of repair and is likely to deteriorate rapidly or damage other premises if nothing is done to repair it.

The Scottish Government's guidance provides more detail on the application of these terms.

4.6 A variety of issues will be taken into consideration when determining whether a house or a number of houses are affecting the amenity of an area. These include;

- The views of residents and other interested parties;
- Complaints from members of the public in relation to the amenity or security of the locality;
- Previous or current engagement with owners within the locality by officers from across the Council's various services;
- Data around changes to house prices or volume of sales within the locality;
- The professional judgement of Council officers involved on the appropriateness of this action;
- Evidence of increased criminality or other social factors.

Determining whether designating a locality a Housing Renewal Area is appropriate

- 4.7 When determining if a Housing Renewal Area is an appropriate option, consideration will be given to:
- Whether other support (such as through the Scheme of Assistance or engagement with the Empty Homes Officer) or other enforcement actions (i.e. Works Notice, Closing Order, Demolition Order, Compulsory Purchase Order) would be more appropriate;
 - What involvement Council services have had in the locality with regard to property condition and related areas;
 - The presence of long-term empty properties in the area;
 - Existing landlord registration enforcement actions;
 - Owners' engagement with Council services.
 - The potential impact Housing Renewal Area status may have on the locality
- 4.8 The Council may also utilise the powers under the 2006 Act to improve non-residential premises, but only where the work is required to deal with sub-standard housing.

5. Stage 2: Draft Housing Renewal Area Designation Order and Consultation

Draft Housing Renewal Area Designation Order

- 5.1 When a locality area has been highlighted as a potential for Housing Renewal Area designation, the Council will initiate a formal period of consultation. The first stage in this process is the production of a Draft Housing Renewal Area Designation Order.
- 5.2 Any Housing Renewal Area Designation Order must meet a number of key requirements as set out in the Housing (Scotland) Act 2006 section 3(2) and must include the following;

- **Map of the proposed area:** The map will delineate the area to be improved under the Housing Renewal Area, marking each house or non-residential property within it so that it can be clearly used to inform the implementation of the Action Plan.
- **Housing Renewal Area Action Plan:** The Action Plan must highlight the substandard houses, flats or non-residential properties to be brought up to a reasonable state of repair, those properties which are affecting the amenity of the area and (where applicable) those to be demolished. It will also identify properties which do not require work which fall within the locality of the Housing Renewal Area.

The Action Plan will specify the nature of the work required to any given property, and this will be used to inform the notices to be issued. Any work specified in the Action Plan must bring the property up to at least the Tolerable Standard.

The Action Plan will also describe the assistance to be provided to owners within the Housing Renewal Area through the Council's Scheme of Assistance, and the timescale for implementation of the plan.

- 5.3 A template for producing a Housing Renewal Area Designation Order is provided at Appendix A.

Consultation

- 5.4 Following on from the production of the Draft Designation Order, owners, residents and other members of the local community must be given the opportunity to comment on the Order during a period of consultation.
- 5.5 This period must last for at least three months and the local authority must notify owners and occupiers within the locality of the draft order and ensure it is available for them to access.
- 5.6 As a minimum, notice of the proposed Housing Renewal Area must be:
- Served on the owner and occupier of each house in the area;
 - Served on the planning authority (if that is not the local authority), where the house is listed, subject to a building preservation notice or where Section 66 of the 1997 Act applies (control of demolition in conservation areas);

- Published in at least 2 newspapers, at least one local if possible;
- Made public in any other manner as the local authority thinks fit. It is up to the authority to decide, but examples might include a notice in local libraries, community centres or health centres.

5.7 The notice of the Draft Designation Order must advise of the places where and times at which the Order may be viewed.

5.8 Draft Designation Orders will be made available to view online on the Council's website, while hard copies will be made available in public buildings close to the localities in question, including Customer Service Centres, schools, health centres and libraries.

6. Stage 3: Decision to proceed with designation and notification

Decision-making process

- 6.1 Following representations made during the consultation process, the Council may decide to modify its draft order, but this cannot include extending the proposed Housing Renewal Area.
- 6.2 Where modifications are proposed, the Council will give notice, advising of the general effect of any change, to:
- Any owner or occupier (or any other person) who the Council believes to be significantly affected by the change;
 - The planning authority where the property is listed, subject to a building preservation notice or where s66 of the 1997 Act applies.

The Council shall also make the amended document available, and the notice should advise owners of where and when this can be viewed.

- 6.3 The decision to designate Housing Renewal Area status on any locality is by formal report to the Council's Leadership Panel. This report would detail the circumstances relating to the proposal and outline any amendments to the draft order following the statutory consultation period.

Notification of decision

- 6.4 As soon as practicable after a decision is taken to implement a Housing Renewal Area Designation Order (or indeed, not to proceed with designating a Housing Renewal Area), the Council will advise of this by:
- Serving notice on the owner and occupier of any house in the HRA;
 - Publishing information in two newspapers available in the Housing Renewal Area (at least one of which should be local if possible)
 - Make this decision public in any other manner as is deemed appropriate.
- 6.5 Where a Housing Renewal Area Designation Order is to be implemented, the notice issued will:
- Describe the general effect of the Housing Renewal Area;

- Describe the assistance it is proposed to provide to owners - making reference to the Council's Scheme of Assistance - to support the implementation of a Housing Renewal Area Action Plan.
- Specify the places and times where the Housing Renewal Area Designation Order will be available to view.

7. Stage 4: Implementation of the Housing Renewal Area

Issuing notices and the Scheme of Assistance

- 7.1 Owners and occupiers will be notified in writing of the Housing Renewal Area designation after the decision of the Council's Leadership Panel.
- 7.2 The Housing Renewal Area Action Plan highlights the properties which require work or demolition. If these works have not been completed during the consultation period, the Council will serve the relevant notices on the owners of houses and non-residential premises identified by the plan.
- 7.3 Where a Works Notice is being issued, some form of assistance must be provided to owners under the Scheme of Assistance. The exact nature of this assistance must be specified in any Notices issued to owners.
- 7.4 This support will not necessarily include financial assistance, and will be determined taking into account individual circumstances and the availability of Scheme of Assistance funding at the time when the notice is issued.

Possible support may include;

- 7.5 **Below Tolerable Standard Grant:** Where specific works are required to ensure properties meet the Tolerable Standard – as defined in the Council's Scheme of Assistance – a discretionary flat rate grant of up to 50% will be offered (subject to budgetary constraints, terms and conditions) towards the approved cost of work required to remedy breaches of the elements of the Standard listed. The Housing Service will work in partnership with Environmental Health to identify owners who are eligible for this discretionary grant. Information and practical assistance will be offered where appropriate with the aim of reducing the number of properties that fall below the Tolerable Standard and taking steps to ensure that all occupied residential accommodation meets this minimum standard.

7.6 **Housing Renewal Area Grant:** A Housing Renewal Area Grant – provided as a discretionary flat rate grant of up to 50% towards the approved expense of works - will be offered to owners in a Housing Renewal Area (subject to budgetary constraints and terms and conditions) where works specified in a Notice would not in themselves ensure the property met the Tolerable Standard, but are considered by Council officers to be necessary in terms of ensuring the following priorities;

- **Amenity:** Where property condition is having a negative impact on the visual amenity of an area;
- **Safety and Security:** Where required works would improve the safety and security of housing in an area;
- **Reducing long-term costs:** Where works would reduce longer-term costs of maintenance;
- **Demolition:** Where demolition of a property is necessary as part of a Housing Renewal Area².

7.7 Due to limited financial resources, additional qualifying criteria are necessary for both BTS and HRA Grant. Grant will not be awarded where:

- The property is not the applicant's only or principal home.
- The applicant has not lived in the dwelling for at least 2 years.
- The owner acquired the property knowing its condition with a view to developing it.
- The owners removed standard amenities themselves.
- Owners have purchased their property through the Right to Buy in the last 3 years.

7.8 In all cases, conditions of grant will apply, including timescales for completion of works.

7.9 Grant will only be awarded where an application form has been completed and owners have given their consent for grant to be registered against their title deeds.

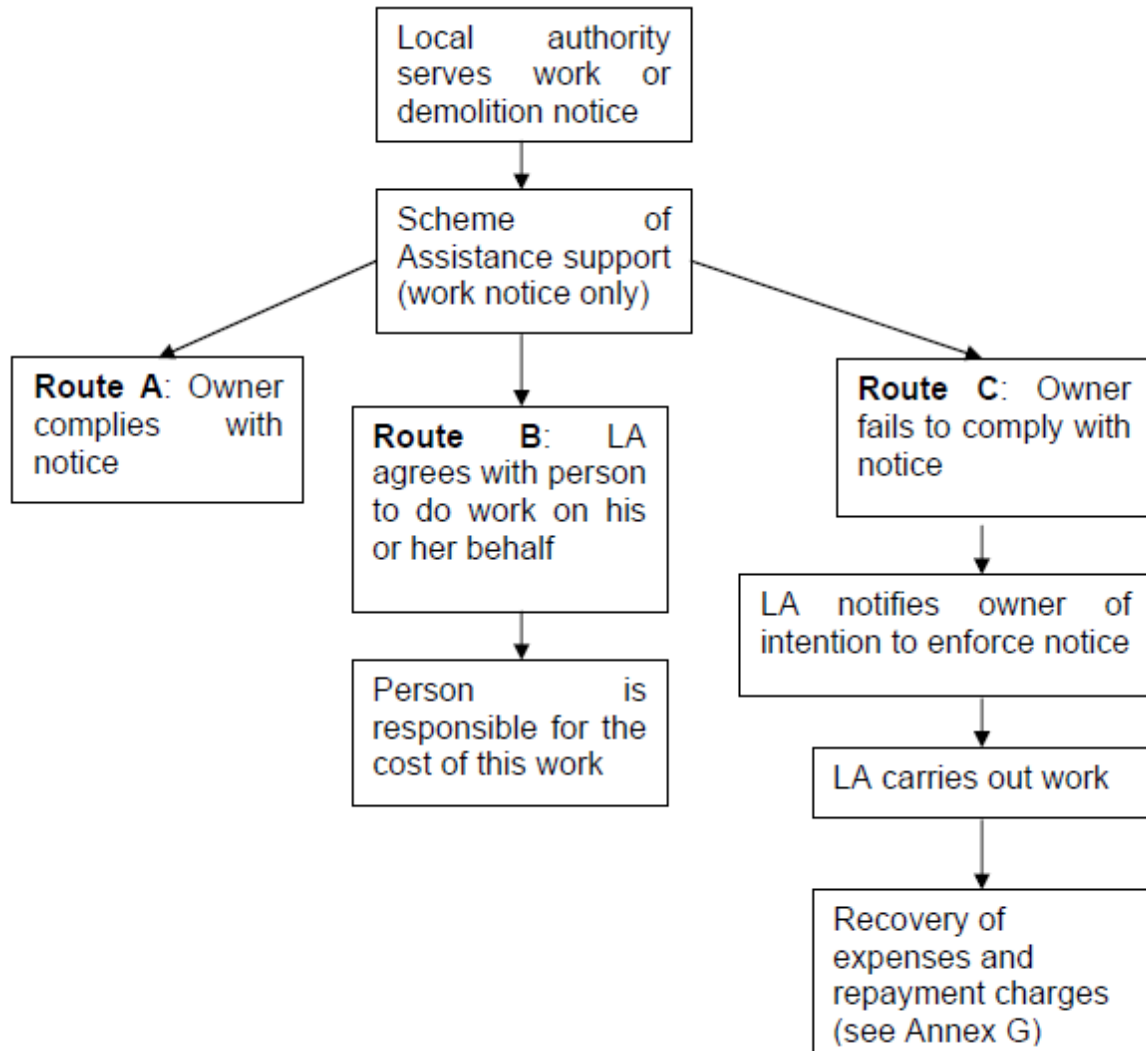
7.10 The Council reserves the right to apply discretion when considering additional qualifying criteria.

² Provision added by Statement 71, 1 March 2011.

- 7.11 In addition, financial support (BTS or HRA Grant) cannot be provided to owners of commercial premises.
- 7.12 Owners are expected to meet the remaining costs of required works and will be provided with the relevant advice, information and assistance to help them do this.
- 7.13 **Empty Homes Initiative:** Where properties have been empty for six months or more, they may be eligible for support under the Council's Empty Homes Initiative. The Empty Homes Initiative offers advice and assistance to owners looking to bring their properties back into use. As part of this initiative, an interest free loan of up to £20,000 is available to owners of long-term empty properties providing key conditions are met.
- 7.14 **Advice and Assistance:** Advice and assistance will be provided under the Scheme of Assistance where owners have been issued with a Works Notice under a Housing Renewal Area but the above conditions do not apply and where financial assistance is not applicable.

Implementing notices – three possible routes

7.15 The flowchart below summarises three possible routes to implementing work or demolition notices.



(Extracted from the Scottish Government Guidance 2009)

Route A: Owner Complies with the Notice

7.16 On receiving a work or demolition notice, it is anticipated that the majority of owners will seek to comply within the timescale specified. The Council will provide support to these owners through the Scheme of Assistance as detailed in the notice.

Route B: The Council agrees to carry out work or instruct on owner's behalf

- 7.17 Owners may request that the Council carry out or instruct the work or demolition on their behalf, providing they are willing to cover all costs associated with the work.
- 7.18 The Council will make a determination on a project-by-project basis as to whether to offer this option to owners, and will advise them of this during the process of consultation and notification.
- 7.19 The Council is, however, under no obligation to carry out or instruct the work or demolition, even if the owner requests this.
- 7.20 Where the scale of the work required would make it most practical for the Council to carry out or instruct the work on behalf of owners – for example, where extensive works are required to a tenement building – and where budgets allow, the Council would advise the owner that this option is available during notification and/or consultation. Under these circumstances, the Council will provide owners with a deadline by which to request the Council carry out the work on their behalf.
- 7.21 In order to carry out or instruct works on behalf of an owner, the Council must have clear, written authorisation and agreement from the owner before proceeding. This will cover the works, access arrangements, recovery of expenses and any other relevant matters. **In all cases, the owners of a house have the right to arrange for the work in a notice to be carried out themselves.**
- 7.22 Where the Council carries out or instructs the work in a notice on behalf of an owner of a property, the owner will be responsible for the costs of the work.
- 7.23 Owners may request a certificate from the Council to confirm the work has been completed, however this shall not be provided until the owner has repaid the cost of the works.

Route C: Owner fails to comply with notice

- 7.24 Where the owner does not comply with a work or demolition notice, the Council may carry out or instruct the work on the owner's behalf and recharge them for this. This would be the case where the owner had either

failed to start or conclude the required works by the deadline given in the notice, or where the work has been carried out but is not to the required standard.

- 7.25 The Council may also move to enforce the notice before the deadline expires where;
- The owner advises they are unable to comply with the notice because of a lack of necessary rights (of access or otherwise). The owner must have made reasonable steps with regard to acquiring those rights.
 - The owner believes carrying out the work may endanger any person.
- 7.26 The Council is not required to give notice before it enforces a work or demolition notice, but notice must be given where any additional works are required.
- 7.27 In this circumstance, 21 days' notice must be given to the owner, unless the situation is considered urgent – for example where failure to carry out this work promptly could result in damage or harm.
- 7.28 Owners may appeal to the Sheriff against the decision to enforce a work or demolition notice, and the Council will take steps to make owners aware of this.
- 7.29 The Council may insist on the evacuation of premises where there is a potential danger. In this circumstance the Council, will notify the occupant by providing notice no less than 14 days before the person needs to move. The notice will set out why it is necessary for the person to move.
- 7.30 Where the occupant fails to leave the property by the deadline provided in the notice, the Council will apply to the Sheriff for a warrant to remove them from the premises. A person may only be ejected where they have suitable alternative accommodation.
- 7.31 If the Council identifies further work which is required to implement the HRA action plan or to bring substandard housing up to a reasonable state of repair this may be carried out but only if this additional work could not reasonably have been identified before the work or demolition notice was served.

Appointing Contractors (where necessary)

7.32 Where contractors are being appointed by the Council to carry out specified works, these appointments will have to be compliant with the Council's Standing Orders.

Recovery of Expenses

7.33 In all cases, the Council will seek to recover the costs associated with enforcing a work or demolition notice.

7.34 This can include the registration of a Repayment Charge where no arrangement is made by the owner to promptly settle the account. For non-residential premises, the Council will pursue costs through the courts in the case of non-payment.

7.35 Where the Council intends to allow repayment in instalments, notice must be served on the owner to advise of this. This notice will set out the expenses which the authority is reclaiming from the owner, including a 10% administration charge.

Regular progress reports on implementation of the HRA

7.36 The Council will take responsibility for ensuring the successful implementation of the Housing Renewal Area.

7.37 For each property identified in the plan, the Council will inform the owner and occupier of how we intend to implement the plan.

7.38 This will take the form of a proposed timetable for implementation, covering;

- When notices will be issued, specifying required work or demolition;
- What the proposed timescale will be for completing that work;
- The next stages for enforcement of notices if owners miss the deadlines for completion; and
- Approximate dates when further updates will be provided.

7.39 The Council will issue regular progress reports on the implementation of a Housing Renewal Area. How regular these reports are will vary depending on the size and scale of the Housing Renewal Area project, but would in most instances be provided quarterly or six-monthly.

Duty to re-house displaced residents

- 7.40 Where work or demolition specified in the action plan results in a person being permanently displaced from their living accommodation³, the Council will ensure that the person is provided with suitable alternative living accommodation, if requested.
- 7.41 This will not necessarily be from the Council's housing stock, but care will be given to ensure the accommodation is provided on reasonable terms. As far as practicable the accommodation should also be close to where the previous accommodation was.
- 7.42 In addition, alternative accommodation will have regard to meeting the needs of those being displaced and any other person who would have been living there as their main residence when the designation order was made had they not been working or studying elsewhere.
- 7.43 Where this duty applies, the Council will ensure that occupiers are aware of their right to suitable alternative accommodation.

³ Providing this property was that person's only or main residence on the day on which the local authority gave notice of the HRA Designation Order.

APPENDIX A: Housing Renewal Area Designation Order

HOUSING (SCOTLAND) ACT 2006

THE [insert name] HOUSING RENEWAL AREA

[DRAFT] DESIGNATION ORDER [insert year]

South Ayrshire Council makes the following order in exercise of the powers conferred by section 1 of the Housing (Scotland) Act 2006.

This order may be cited as the [insert name] Housing Renewal Area [Draft] Order.

The locality delineated in the map in schedule 1 is designated as the [insert name] Housing Renewal Area.

The reason for the designation is that:

- a significant number of the houses in the locality identified in the map in schedule 1 are sub-standard; and/or
- the appearance or state of repair of houses in the locality identified in the map in schedule 1 is adversely affecting the amenity of that locality.

A Housing Renewal Area action plan is included in schedule 2 to this order.

Executed on behalf of the council at [insert town] on [insert date].

Signed.....

SCHEDULE 1

MAP OF [insert name] HOUSING RENEWAL AREA

SCHEDULE 2

[insert name] HOUSING RENEWAL AREA ACTION PLAN

The following are houses in the [insert name] Housing Renewal Area and the works or demolition which require to be carried out to them. The period within which [insert name of local authority] intends to implement this plan is [insert time period].

Part 1

PROPERTY TO BE DEMOLISHED

Number on map	Address of Property	Standard

- A Houses which ought to be closed or demolished under Part 6 of the Housing (Scotland) Act 1987 because they fail tolerable standard or constitute obstructive buildings.

- B Houses which require to be demolished under section 29 of the Building (Scotland) Act 2003 because they are dangerous buildings.

- C Houses which are in a state of serious disrepair and ought to be demolished under section 3 of the Housing (Scotland) Act 2006.

Part 2

PROPERTY WHICH REQUIRES WORKS

Number on map	Address of Property	Standard

- A Sub-standard houses which require work to be carried out in or in relation to them for the purposes of bringing them into, and keeping them in, a reasonable state of repair.

- B Houses which require work for the purposes of enhancing the amenity of the area.

- C Houses which require work because they are adjacent to, or otherwise associated with, a house identified under Part 1 or Part 2 of the HRA Action Plan.

Notes on completion - Part 1

1. For each property identified in A-C the action plan should specify any standard to which the demolition must be carried out, including any standard to which the site of the demolished house must be cleared.
2. The plan should also describe the general effect of Part 15 (compensation payments) of the Housing (Scotland) Act 1987 as they apply to houses which the plan identifies.
3. In this context the definition of "house" includes non-residential premises which form part of any building containing living accommodation.

Notes on completion - Part 2

4. For each property identified in A-C the action plan should specify the work which is required, any standard to be met on completion of that work, and any step which the local authority requires to be taken in carrying out that work.
5. The plan can also include work to improve the safety or security of any houses or person, reduce the long-term costs of maintaining any houses, or enhance the amenity of any houses.
6. Work is defined as including maintenance, repair and improvement.
7. In this context the definition of "house" includes non-residential premises which form part of any building containing living accommodation
8. The plan should also describe the general effect of Part 15 (compensation payments) of the Housing (Scotland) Act 1987, and Part 2 (Scheme of Assistance) of the Housing (Scotland) Act 2006 as they apply to houses which the plan identifies.

APPENDIX B: Glossary of terms

Below Tolerable Standard

A house meets the tolerable standard if it:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply;
- “the electrical installation” is the electrical wiring and associated components and fittings, but excludes equipment and appliances;
- “the relevant requirements” are that the electrical installation is adequate and safe to use
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

Repairing Standard

The Repairing Standard, contained in the Housing (Scotland) Act 2006, covers the legal and contractual obligations of private landlords to ensure that a property meets a minimum physical standard.

A privately rented property must meet the Repairing Standard as follows:

- The property must be wind and water tight and in all other respects reasonably fit for people to live in.
- The structure and exterior (including drains, gutters and external pipes) must be in a reasonable state of repair and in proper working order.
- Installations for supplying water, gas and electricity and for sanitation, space heating and heating water must be in a reasonable state of repair and in proper working order.
- Any fixtures, fittings and appliances that the landlord provides under the tenancy must be in a reasonable state of repair and in proper working order.
- Any furnishings that the landlord provides under the tenancy must be capable of being used safely for the purpose for which they are designed.
- The property must have a satisfactory way of detecting fires and for giving warning in the event of a fire or suspected fire.

- The property must have satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.

To comply with the Repairing Standard, private landlords must have regard to the guidance issued by Scottish Ministers on:

- [Satisfactory provision for detecting and warning of fires](#)
- [Electrical installations and appliances in private rented property](#)
- [The provision of carbon monoxide alarms in the private rented sector](#)