1973. No. 306 **[C]**

HOUSING

Schemes for the Erection of Houses (for Letting) by Private Persons

REGULATIONS, DATED 31ST AUGUST, 1973, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTION 19 OF THE HOUSING AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1946.

The Ministry of Development (in these Regulations referred to as "the Ministry") on behalf of the Secretary of State and in exercise of the powers conferred on it by section 19 of the Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946(a), (in these Regulations referred to as "the Act") and of every other power enabling it in that behalf hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Housing (Houses Built for Letting) Regulations (Northern Ireland) 1973, and shall come into operation on the 1st October 1973.

(2) In these Regulations—

(*a*) the expression "appropriate district council" means the district council for the area in which the housing accommodation is to be provided;

(*b*) the word "house" shall be taken to include "flat" and "maisonette", except where otherwise stated;

(*c*) where abbreviations and symbols are used, these shall have the meaning assigned to them by regulation A2(8) of the Building Regulations (Northern Ireland) 1973(b).

2. The following Regulations are hereby revoked:—

Housing (Houses Built for Letting) Regulations (Northern Ireland) 1956(c);

Housing (Houses Built for Letting) (Amendment) Regulations (Northern Ireland) 1961(d).

3. A person desirous of providing housing accommodation for workers under the provisions of the Act shall submit a scheme to the appropriate district council in accordance with the provisions of Schedule 1.

4. It shall be a condition of approval to any housing scheme submitted to a district council under section 1 of the Act that the standards which are specified in Schedule 2 (in these Regulations referred to as "the prescribed standards") and the method of measuring the superficial area which is specified in Schedule 3 are observed. The payment of contributions under the Act towards the cost of the provision of any accommodation provided thereunder shall be subject to compliance with the prescribed standards.

5. The prescribed standards shall be without prejudice to the application of any building regulation made in pursuance of the Building Regulations (Northern Ireland) Order 1972(e) or of any other enactment or bye-law.

(a) 1946. c. 4.
(b) S.R. & O. (N.I.) 1973, No. 105.
(c) S.R. & O. (N.I.) 1956, No. 94.
(d) S.R. & O. (N.I.) 1961, No. 108.
(e) S.I. 1972, No 1996 (N.I. 19).

6. The Ministry may assent to the modification of or departure from the provisions of these Regulations.

7. Any house or houses built under the provisions of the Act shall be open to inspection by any duly authorised officer of the appropriate district council or of the Ministry.

8.—(1) The district council shall keep a register (in these Regulations referred to as "the Register") showing full particulars (including a record of the date upon which each house became reasonably fit for occupation) of all houses in their district to which the statutory conditions specified in section 2 of the Act apply.

(2) The Register shall be open to public inspection during office hours at the office of the district council without fee or reward.

9. The district council in whose area houses are proposed to be built may, if they so desire, require the applicant to give an undertaking, in writing, to pay them, in respect of any expenses incurred by them in the examination of plans and any other work involved in connection with the application, a fee not exceeding £1·05 (one pound five pence) in respect of each house: provided, however, that where less than 3 houses are to be erected in accordance with any one house type plan, the minimum fee chargeable in respect of those houses shall be £3·15 (three pounds fifteen pence). The fee shall be payable to the district council prior to the issue of Certificate "LA".

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 31st day of August, 1973.

(L.S.)

W. P. McIlmoyle,
Assistant Secretary.

SCHEDULE 1

Housing Schemes (for letting) by private persons

General procedure

1. A person who desires to erect a house, or houses, under the provisions of the Act shall as a first step give notice, in writing, to the appropriate district council, stating the number of houses proposed to be built; this notice shall be accompanied by location plan, *in triplicate,* to a scale of 1 :2,500, to show the proposed site, or sites, in a clear relation to existing development in the area; the plan must be such that the site or sites can easily be identified therefrom.

2. On receipt of written intimation from the district council that the council is prepared to consider a scheme when submitted in the manner hereinafter prescribed, there shall be forwarded to the council the under-mentioned documents *in triplicate*:—

Layout plan and sections for roads and services

A plan, to a scale of 1 : 500 (together with the necessary cross and longitudinal sections to a convenient scale) clearly showing the proposed roads and public footpaths, sewers and drains, water and gas mains, electrical transmission lines and cables, all related to contours and other ground levels, and also to existing roads and services.

This layout plan may not be required if all the information concerning roads and services is included in the general layout plan referred to next.

General layout plan

A plan, to a scale of 1 : 500, clearly showing—

(*a*) the proposed houses (suitably identified by type and number of each type) and other buildings, roads and footpaths;
(*b*) the site number allotted to each house;
(*c*) the boundaries of the site;
(*d*) the different features of the layout, e.g., house blocks, roads and footpaths, open spaces, etc.;
(*e*) existing buildings which adjoin the site, or are to remain on the site;
(*f*) existing natural features, such as trees, hedges and streams;
(*g*) contours, and necessary spot levels;
(*h*) all dimensions necessary to indicate compliance with the prescribed standards, e.g., distance between house blocks, etc.;
(*i*) widths of carriageways and footpaths.

In circumstances where it would not be practicable to show the full general layout to 1 : 500 scale on one drawing, the layout may be broken into sections, to a scale of 1 : 500, with, if necessary, a key plan to a convenient scale.

House plans

Complete house plans (with sections and elevations) of each of the types of houses proposed to be erected, to a scale 1 : 50.

These plans are to be fully dimensioned, and shall show, drawn on, (to indicate compliance with the prescribed standards), the following:—

(*a*) 300 mm x 300 mm planning grid;
(*b*) the minimum furniture provisions;
(*c*) other mandatory fittings.

Full details of construction, plumbing and drainage and, generally, the nature of the different materials, must be described thereon. In cases where it is proposed to arrange houses of different types in blocks it will, generally, be necessary to submit additional drawings to a convenient scale showing plans and elevations of the proposed arrangement.

Specification

A complete and detailed specification for:—

(*a*) roads and services; and

(*b*) houses and other immediate site works, including approach paths and fencing, gates, etc.

3. Subject to the scheme complying with the requirements of these Regulations, the district council shall issue, to the person who has submitted the scheme, a Certificate (Certificate "LA") in the form appended to this Schedule and return one set of the plans and specification with the approval of the council duly endorsed thereon. A copy of Certificate "LA" shall be sent by the council to the Ministry, together with one copy of the location plan, the general layout plan and the house plans.

4. The erection of houses under the Act shall not be commenced until a Certificate "LA" has been received from the district council (accompanied by the approved plans and specification). If work has not commenced on a house within two years of the date of issue of this Certificate then such Certificate shall become invalid in relation to that house.

5. Before the foundations of a house are laid notification should be sent to the district council in the form provided on Certificate "LA" intimating that it is proposed to lay the foundations and specifying the date on which it is intended to lay them. The council in turn shall forward the notification to the Ministry.

6. From time to time during the course of construction the district council shall cause the house to be inspected by a duly authorised officer.

7. When the erection of a house has been completed the person who submitted the scheme shall forthwith notify, in writing, the district council and at the same time shall state whether any alterations have taken place in the original siting, in which event an amended location plan to a scale of 1:2,500 must accompany the notification. If the council is satisfied (1) that the erection of the house has been completed in a proper and workmanlike manner and in accordance with the prescribed standards and conditions, and (2) that the person who submitted the scheme has made such letting of the house as complies with the statutory conditions in section 2 of the Act, it shall issue a Certificate "LB", which shall be in the form appended to this Schedule.

8. The contribution for which a person who has erected a house under an approved scheme is eligible shall be payable by the district council as soon as practicable following the receipt (duly completed) of the form of claim forming part of the Certificate "LB" in respect of that house.

9. The district council shall forward to the Ministry after the payment of a contribution in respect of a house a Certificate (Certificate "LC") and claim (which shall be in the form appended to this Schedule) for the recoupment to the council of the appropriate sum, payable by the Ministry under the provisions of the Act, which sum shall be paid (subject to the provisions of paragraph 10) to the council as soon as reasonably practicable after receipt of Certificate "LC" provided that the Ministry is satisfied that the statutory and prescribed conditions have been complied with in respect of that house.

10. Certificate "LC" shall be subject to certification by the Local Government Auditor after payment has been made by the Ministry.

Certificate LA

MINISTRY OF DEVELOPMENT FOR NORTHERN IRELAND

HOUSING AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1946

HOUSING SCHEMES (FOR LETTING) BY PRIVATE PERSONS

Certificate of Approval of Proposals to Construct Workers' Houses

Certificate No.....

To .....

of .....

THIS IS TO CERTIFY:

(1) that the ..... Council have approved the layout plan, house plans and specification (hereinafter referred to as "the Scheme") submitted to them on the day of 19 , in respect of the houses described in the Schedule to this Certificate;

(2) that the Scheme complies with the prescribed standards;

(3) that if the houses are ultimately certified to have been satisfactorily completed in accordance with the Scheme now approved, and that if in respect of each such house a letting in accordance with the statutory requirements has been made, the Council will undertake to pay the contributions provided for under the Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946;

(4) if work has not commenced on a house within two years of the date of issue of this Certificate then such Certificate shall become invalid in relation to that house.

Given under my hand this day of 19 .

(Signed) .....
for and on behalf of the Council.

NOTE—APPROVAL FOR THE PURPOSES OF PLANNING AND BUILDING REGULATIONS MUST BE OBTAINED FROM THE APPROPRIATE AUTHORITIES.

NOTICE OF INTENTION TO LAY FOUNDATIONS

The person to whom this Certificate is granted shall, in due course, complete this Notice and return one copy of the Certificate to the Council for transmission to the Ministry.