

Ministry of Housing and Local Government

Central Housing Advisory Committee

Our older homes a call for action

Report of the sub-committee on standards of housing fitness

London Her Majesty's Stationery Office 1966

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Introduction

Terms of reference

(1) We were appointed by the Central Housing Advisory Committee in February 1965,

‘to consider the practicability of specifying objective criteria for the purposes of slum clearance, rectification of disrepair and other housing powers relating to minimum tolerable standards of housing accommodation ; and to make recommendations.’

(2) We quickly came to the conclusion that it is possible for standards to be expressed more objectively than at present, but that a substantial measure of personal judgment would always be required in deciding what weight should be given to defects of various kinds. We were then asked to go ahead with devising new standards as quickly as possible, without undertaking major research projects.

(3) In the time available to us we have therefore concentrated, in considering how these standards should operate, on the broad lines of policy. We are conscious that the implications of some of our recommendations will require further detailed examination, in particular the financial arrangements and the relationship to other powers and legislation, especially in connection with maintenance. Appendix 2 lists the fields in which we consider that further research or enquiry is needed.

The field of review

(4) A method of identifying housing conditions that are too bad to be tolerated requires separate procedures for discovering and evaluating :

- (a) the structure and condition of housing (stability, damp, natural lighting, etc.) ;
- (b) the equipment and services built into housing (w.c., water supply, drainage, artificial lighting, etc.) ;
- (c) the quality of the surrounding environment (air pollution, noise, open space, traffic conditions, etc.) ;

- (d) the space available to individual households (persons per room, bedroom requirements, etc.) ;
- (e) the privacy available in dwellings occupied by more than one household (sharing accommodation and facilities, sound insulation, etc.).

These are five different aspects of housing quality. Housing conditions can be made intolerable by failure in respect of any one of them. Therefore a general procedure for identifying, comparing and eliminating intolerable conditions must combine, and also distinguish, assessments of all five problems.

(5) We were asked to concern ourselves with the fabric, equipment and services of the house and we have concentrated on these aspects and the environment of the house. We have nevertheless appreciated that a dwelling which is 'fit' or 'satisfactory' for a given number of occupants may become intolerable as the result of an increase in occupancy. This was beyond the field which we were asked to deal with but we have been impressed during the visits we have made by the problems created by overcrowding and multiple occupation. These have an effect on the fabric of the house, as can easily be seen by looking at different houses of similar types which are subject to different kinds of occupation. Although we have not ourselves gone into these problems, we want to emphasise that they ought not to be isolated and that these, equally with the physical aspects, must be taken into account in considering the future of existing houses. We refer to the need for further enquiry in Appendix 2.

(6) In reviewing the qualities and characteristics of existing houses which must be taken into account in deciding their future, we started from the point which the previous Sub-committee on Standards of Fitness for Habitation (the Miles Mitchell Sub-committee of 1946) had reached. They recommended a new fitness standard, which led to the enactment in 1954 of the present standard, now section 4 of the Housing Act 1957. They also recommended a standard for a satisfactory house which largely became the basis for the discretionary improvement grant standard in 1949. We came to the conclusion that they had provided a good foundation and we have built on it.

Evidence and visits

(7) We have received written evidence, partly in the form of replies to questionnaires which we prepared, from the local authority associations and a number of other bodies and people (listed in appendix 1). Some of them also gave us oral evidence. We ourselves went to see conditions illustrating the problems connected with older houses in a number of places. In addition, visits were made by a small Working Party to gauge the extent to which fitness standards as applied by different local authorities might vary. From this Working Party's work

has come the suggestion for the use of sampling techniques by local authorities in estimating the size of their problems, described in Appendix 3.

(8) We are most grateful to all those people who helped us by giving evidence, by making arrangements for our visits and by kindly allowing us to visit their homes.

Chapter 1

The framework of our proposals

1. Today, when modern homes can be so comfortable to live in and easy to run, there is clearly a standard for a satisfactory house to which our older homes should be raised. We have sought to define this standard and to suggest procedures to deal with the millions of homes whose obsolete condition is the more striking when compared with technical advances in all other fields.

2. The nation's houses are a vital national asset, be they publicly or privately owned. We found a very serious lack of information about older houses and an inadequate drive to demolish those known to be slums and unfit to live in.

3. It is not easy to decide on the point at which it becomes more worthwhile to replace a house than to improve it. Little work has been done on the criteria for achieving the most economic allocation of resources between replacement and improvement and there is considerable scope for research in this field. This is one of the areas where we think that the Minister could sponsor further enquiry—see Appendix 2. The structure of the building industry however is such that there are many firms which, though too small to make a significant contribution to new house building, are well suited for repair and improvement work.

4. There are some 6½ million houses and flats in England and Wales built before 1919. (In this Chapter, for convenience, we shall generally use the term 'house' to cover all types of dwelling units). Some are historic buildings, some were built in a great hurry and with little thought for hygiene, comfort or convenience, as the industrial revolution drew people to the towns. When control began to be exercised over building, the character of houses changed and the typical 'byelaw' streets were built—characterised by long terraces of houses of dreary appearance where only the minimum conditions for health were observed. During the same periods, many larger and more substantial houses were built—numbers of these are now too large for single family occupation.

5. Many old houses are unfit to be lived in, but age alone does not give much indication of condition. Nor does rateable value. Local authorities have been asked from time to time since 1954, most recently in

February 1965*, to estimate how many houses are unfit by the present standard now laid down in section 4 of the Housing Act 1957, but they have not been required to make surveys. Many local authorities with obviously enormous problems have not felt able to spare staff time for such surveys but there are doubts about the accuracy of estimates made without survey information. We suggest in Chapter 6 and Appendix 3 how sample surveys could help to produce information which would be sufficiently accurate to form a basis for sensible decisions about the allocation of resources, without too great an expenditure of the time of professional and technical staff.

6. The 1961 census provided information about the lack of w.cs., hot and cold water supplies, and baths but this was collected on the basis of availability of these amenities to *households*. The figures for *dwelling*s were derived from this information. They are applicable only to those dwellings which were occupied by a single household and which had either exclusive use of the particular amenity or lacked it altogether. In any event the census did not cover the whole of the field with which we are concerned.

7. It is clear, however, that there are many, many houses which are below any standard that can be considered satisfactory in the second half of the 20th century. About three quarters of a million are below the present minimum fitness standard. Something like 3 million lack one or more of the basic amenities of w.c., cold water tap, hot water supply and bath. While some of them will be demolished in the next few years, others must serve for a longer period, however fast new homes are built. These must have some degree of improvement, according to the length of time they will remain in use. Sound houses must be maintained in good repair and improved where practicable. (Photographs 1, 2, 3, 18 and 19.) Successive Governments have tried to secure the voluntary modernisation of these houses but the response has been inadequate and disappointing. Present measures of compulsion†, which apply in limited circumstances to tenanted property, have proved ineffective, perhaps because of the cumbersome and time consuming procedure. *In our view there is a need both for effective compulsion to improve and maintain the better old houses and for more pressure for early clearance of the worst.*

Our principal conclusions

8. We have concluded that the primary need is for a comprehensive approach which will bring together many elements of the existing arrangements for securing improvement, repair or clearance and will strengthen some of the powers of local authorities, laying on them a

* Ministry of Housing and Local Government Circular No. 11/65.

† Housing Act 1964.

duty to consider the condition of *all* houses. If the pattern of standards is more coherent, it will be easier to collect the information needed and to plan the necessary action.

Objectivity and the form of standards

9. Our terms of reference required us to consider the practicability of specifying objective criteria for housing standards. We came, as we have indicated in the introduction, to the conclusion that greater objectivity was possible than had been achieved in the past. It is easy enough to express some of the items in the present fitness standard in more objective terms, for example, by spelling out what equipment is required for the storage, preparation and cooking of food. It is much more difficult to specify, without a great deal of complication, the degree of dampness which justifies condemning a house, especially where a combination of defects has to be taken into account.

10. It is also necessary to bear in mind that, in addition to the need for information about the overall national position, each local authority must know the condition of the houses in their area if they are to produce workable programmes and if resources are to be allocated where they are most needed. Definitions must neither be too sophisticated nor too difficult to operate if they are to be useful to local authorities in day-to-day action, as well as in making assessments of the size of the problem. There is a need also for simple explanations for members of the public.

11. In the visits we have made we have been impressed by the wide variety of houses and the many types of unsatisfactory conditions which we have seen. We have also been struck by the extent to which, in the last resort, decisions must depend on the judgment of an experienced person. We looked carefully at the possibility of assessing condition by using a system in which 'points' were allocated for various defects. But we were satisfied that this would still require personal judgments and that there would be no advantage in introducing a system that was more objective in appearance if it merely concealed the same reliance on judgment.

12. We considered also the possibility of relating the appropriate standards to measurements of natural lighting, ventilation and dampness by means of scientific instruments. Clearly lighting and ventilation can be measured, but the laying down in these terms of standards which would be suitable in all the possible varieties of conditions and in combination with other factors would be too complicated to be worthwhile. Similarly, although instruments can be used for indicating the presence of dampness, there is rarely likely to be an advantage in this over the judgment that can be made by sight and touch.

13. We came to the conclusion that the best method of obtaining greater objectivity for the purposes of applying housing standards was,

while expressing the standards in fairly broad terms, to define those terms as far as possible in explanatory notes. There is always the possibility if precise conditions are specified that other unsatisfactory conditions will be assumed to be excluded. We want to make it clear that the explanatory notes which we have prepared both for the existing minimum fitness standard and for our proposed new standards, where they give examples, are not exclusive. We think however that such notes should help to secure uniformity of interpretation and make the standards more comprehensible to people affected by them. We suggest that they should be made available to local authorities and the public, perhaps by a Ministry circular, and that copies might be given to owners at the time when notices are served on them by the local authority. This would help owners to know better where they stand.

The level of standards

14. Within the framework which we envisage, we have become convinced that the general level of existing standards is not unsatisfactory. For example, judged as a standard, that used for discretionary improvement grant (the 12 point standard) has proved to be close to what we consider desirable for a satisfactory older house, and, despite the criticisms heard from time to time, we have been increasingly impressed as our work has continued by how well the present standard in section 4 of the Housing Act 1957 has operated as a practical instrument for dealing with unfit houses.

15. Although some local authorities' estimates for the total numbers of unfit houses may be wide of the mark, we have little reason to think that the application of the present fitness standard varies greatly when houses are made the subject of slum clearance orders. Of course, some authorities may be dealing with houses which are less defective than those currently being dealt with in towns with worse slum problems. But almost all the houses represented by authorities as unfit in orders which come before the Minister are in fact found to be unfit. On closer enquiry criticism is often seen to be directed not so much at the standard by which houses are judged unfit as at the terms of compensation—a matter which is outside our terms of reference.

16. We begin with the setting of a standard for a satisfactory house which we believe is the minimum that ought to be regarded as acceptable now and for the foreseeable future (Chapter 2). This goes beyond the public health concepts on which legislation was based in the past. We have received evidence that it is difficult to demonstrate a direct connection between housing conditions and health (though the bad effects of prolonged residence in areas of air pollution have been shown and some conditions may well be a cause of accidents in the home). But, quite apart from health, many of the conditions which

exist are totally unacceptable today. This applies as much to the environment in which houses are set as to the structures themselves. We have tried to set a standard that is neither unrealistically high nor so low that it will be out of date within a very short time. We recognise, however, that the numbers involved are such that many houses which cannot be brought up to the full standard will stand for some years. We believe that many of these can and ought to be provided with the basic amenities which we describe in paragraphs 41 and 42, and that there should be a drive to secure this.

17. In the evidence put to us there has been substantial support for a new condemnatory standard close to the 12 point standard now used for discretionary improvement grants. This would mean that houses falling below that level and incapable of being brought up to it would have to go into the clearance programme and be demolished as soon as possible. We have not been able to accept this as practical at the present time. The returns made to the Ministry during 1965 in response to Circular No. 11/65 show that local authorities consider that there were 771,000 houses, comprising 824,000 dwellings, which are unfit by the present standard. Although there are doubts about the accuracy of some of the individual returns, the totals show the magnitude of the task of dealing with the nation's unfit houses and also the extent to which the bulk of them are concentrated in relatively few areas (see Tables 1 and 2 and Map). We have reluctantly come to the conclusion that while so many seriously unfit houses remain to be cleared, there must remain a minimum fitness standard close to the present one, if the right emphasis is to be put on getting rid of the worst houses as quickly as possible. We make recommendations about the level of the standard in Chapter 3. Our recommendations about the setting of targets for getting rid of these unfit houses are in Chapter 5.

Environment

18. We attach great importance to the environment in which houses stand. As we get away from the concept of the 'unfit' house, the 'slum' and its link by definition with physical health, we move to a situation in which it should be generally accepted that everyone should live in a house which is in every way satisfactory for habitation by the social standards of the day. As these standards and people's expectations rise, we are sure it will be realised that a house cannot be satisfactory if its environment is not satisfactory. The satisfactory house in a satisfactory environment must be the aim and the standards set for both must be achieved and then maintained. The quality of urban life depends on this and could be much higher than it is today, if the achievement and maintenance of these standards had been seen in the past as a matter of public responsibility, which we believe it is. (Photographs 5, 6, 20, 21.)

19. Clearly the housing authority alone will not be able to achieve all the improvement needed—there must be the closest consultation and co-operation with the local planning authority and other bodies. But if, as we recommend, housing authorities are required to consider the condition of all houses and to ensure that those which need attention for one reason or another are dealt with, it will be possible and, we believe, right for them to take the initiative in proposing areas for improvement and in seeking the co-operation of the other authorities concerned where necessary in improving the environment along with the houses. This would, we think, be consistent with the proposals of the Minister's Planning Advisory Group* for 'action area' plans, if those are accepted.

20. Where noise, air pollution or vibration are making living conditions intolerable, if consultations show that there is no foreseeable prospect of improvement, the housing authority should clear the houses and ensure that they are not replaced on the same spot. This too will require very careful consultation with the Medical Officer of Health and with the local planning authority, since it will be necessary to find other uses for the land. So far as noise is concerned, acceptance of the Wilson Report† recommendations on consultation between local planning authorities and public health authorities would help to avoid the creation of such bad conditions in future; and action by authorities, in consultation with the Ministry of Labour's Factory Inspectorate, may help to reduce the need for clearance in some areas.

21. But anyone who has, as we have, stood in a street where the windows have to be kept shut all the time against the objectionable smells from nearby industry or felt the shock as, in a works just across the street from people's homes, heavy metal tubes crash down at irregular intervals, will know that such an environment makes a house unfit to live in. While these conditions exist it would be a waste of resources to attempt to improve the houses to the full standard.

22. We discuss the different aspects of environment relevant to areas of improvement and of clearance in relation to the appropriate standards in Chapters 2 and 3.

Maintenance

23. There would be little point in providing additional equipment in houses if the structure were allowed to deteriorate. We are satisfied that there is a need to strengthen local authorities' powers to secure the repair of houses so that a proper degree of maintenance may be enforced to avoid the wasting away of the national assets represented by the housing stock and we discuss this in Chapter 4.

* The Future of Development Plans HMSO 10s.

† Noise—Final Report Cmnd. 2056 HMSO 13s.

Which houses ?

24. All our recommendations are concerned with houses regardless of ownership. We see no reason for distinguishing between privately rented, owner-occupied or publicly owned property. Local authorities should be required to apply the same standards to their own houses as they would require in those which are privately owned.

25. It is arguable that the conditions in which owner-occupiers live are their own business. Nevertheless, it is wrong from the point of view of the public interest for one house in a terrace, for example, to be allowed to lower the standard of the remainder because the owner is unwilling or unable to keep it in a reasonable condition. We realise that this will bring problems and we make proposals about the means of financing the necessary repairs and improvements.

26. We recognise also that special consideration may have to be given to individual owner-occupiers and tenants where, because of age or infirmity, it would be unreasonable to expect them to undergo the disturbance involved in having works carried out.

Resources and information

27. We are very conscious of the demands which our proposals would make both on material resources and manpower—building workers and professional and trained staff of local authorities. It is essential to find suitable means of channelling resources to the areas of greatest need. The problems involved in applying the standards and the way in which plans might be made are discussed in Chapter 5.

28. We make recommendations in Chapter 6 about the collection of information which is needed to allow rational decisions to be taken about the allocation of resources and to make easier the implementation of a plan for dealing with older houses. We are aware that our proposals cannot be fully implemented until more is known about the condition of our national stock of housing and the costs of bringing it up to the standards we propose and until the local authorities responsible for housing and town planning have been consulted. However, the systematic programme for the improvement and repair of housing which we propose in this Report is, in our view, the essential basis for the further enquiries and consultations now required. It may be altered in detail but only if a plan of this kind is put into operation will those houses which are worth saving be brought up to a satisfactory standard and those which cannot reach the standard but must stand for some time, be made tolerable.

Chapter 2

The satisfactory dwelling and its environment

29. So far we have, in the main, used 'house' as a generic term for all the kinds of place in which people live, whether houses in the strict sense, flats or rooms. In discussing the standards which we propose, it is necessary to make it clear that the unit we are talking about is self-contained domestic accommodation intended for one household and for this we use the term 'dwelling'.

30. There was a substantial measure of agreement in the answers of those who responded to our questionnaire, on the general level of the standard appropriate to a satisfactory dwelling. Suggestions were made for more specific definitions, but there was a general preference for a standard close to that used for administering the system of discretionary improvement grants payable under the Housing (Financial Provisions) Act 1958.

31. This is often known as the '12 point' standard and, as we have already mentioned, was based on the recommendations of the earlier Standards of Fitness for Habitation Sub-Committee for a satisfactory house. It provides that a dwelling must :

- (a) be in a good state of repair and substantially free from damp ;
- (b) have each room properly lighted and ventilated ;
- (c) have an adequate supply of wholesome water laid on inside the dwelling ;
- (d) be provided with efficient and adequate means of supplying hot water for domestic purposes ;
- (e) have an internal water closet, if practicable, otherwise a readily accessible outside water closet ;
- (f) have a fixed bath or shower in a bathroom ;
- (g) be provided with a sink or sinks, and with suitable arrangements for the disposal of waste water ;
- (h) have a proper drainage system ;
- (i) be provided in each room with adequate points for gas or electric lighting (where reasonably available) ;
- (j) be provided with adequate facilities for heating ;
- (k) have satisfactory facilities for storing, preparing and cooking food ; and
- (l) have proper provision for storing fuel (where required).

32. This standard does not specifically refer to stability, which is a criterion of the minimum fitness standard, or to a wash-hand basin, which is one of the facilities for which standard grant may be paid, but there was general agreement that these should be taken into account. There was substantial support for insisting that a satisfactory dwelling must have an internal w.c. for the exclusive use of the occupants of the dwelling. However, some of those who answered the questionnaire thought that shared bathrooms, w.c.s and, in some cases, kitchens were acceptable in blocks of one person dwellings. Other views for which there was substantial support were that adequate provision should be made for washing and drying clothes, at least by providing space for equipment; that access to the dwelling should be taken into account; that there should be adequate provision for dustbin storage; and that internal bad arrangement should be taken into account. The kind of factors covered by this last item are described in paragraph 38(c).

33. Some suggestions we thought were adequately covered by other powers, for example, frost precautions for plumbing. Others, we thought, could not be realistically insisted on in older houses, for example, thermal or sound insulation. Nor did we think it practical to insist on the provision of storage space in many of the older dwellings that could otherwise be made satisfactory. We were unable to accept the view that it was unnecessary to require the provision of a ventilated food store. We were assured that piped water supplies were sufficiently widespread to allow the same standards to be operated in rural areas as in towns. (Photographs 7–12.)

Environment

34. Great importance was attached in most replies to the environment in which dwellings were set, especially freedom from noise, air pollution and other nuisances. Not so much emphasis was placed on car parking and garage facilities but we ourselves consider that proper provision must be made.

35. We have explained in paragraphs 18 and 19 that we do not believe that a dwelling can be satisfactory unless it stands in a satisfactory environment and that, when seeking to get the dwelling improved, the local authority should also seek to get the environment improved. This means more than that there should be freedom from excessive noise (including traffic noise), serious flooding, liability to subsidence, smoke, dust, vibration, and offensive smells. (Photographs 5, 6, 20, 21.) Provision should be made for enough garaging or car parking space; for children's play spaces; for access to other open space, schools, shops and public buildings such as churches and libraries; for easy access to public transport, and, very important, adequate space and air around the houses or flats which, to provide a pleasant

outlook, needs to be more than the bare minimum necessary for health. We do not suggest that it will be possible to provide every one of these amenities in each area which is worth improvement, but we do consider that when the local authority are tackling the problem, they should use a check list of this kind to see how much could be achieved. We re-emphasise that this means the closest co-operation between the housing, public health and local planning authorities. It may well mean that some buildings will have to be demolished to benefit the rest but this will be worthwhile if a substantial number of houses can be given a new lease of life.

The standard

36. In the light of the evidence which we received, the conditions we have seen, and our discussions on what it is practical to require, our recommendations for the new standard for a satisfactory dwelling are :

- (a) that the environmental conditions must be satisfactory ;
and that the dwelling should :
- (b) be in a stable condition, in a good state of repair and free from damp ;
- (c) be satisfactorily arranged internally ;
- (d) have adequate natural lighting to each habitable room and working kitchen ;
- (e) have adequate points for artificial lighting by gas or electricity in each room, staircase, passage, and cellar in use ;
- (f) be provided with adequate means of ventilation throughout ;
- (g) have a suitably located and satisfactory internal w.c. for the exclusive use of the occupants ;
- (h) have a fixed bath or shower in an adequately ventilated compartment, separate from any habitable room or kitchen ;
- (i) have a suitably located wash-hand basin ;
- (j) have an adequate and wholesome supply of water for all domestic purposes with both hot and cold water provided to sink, wash-hand basin and bath or shower ;
- (k) have a satisfactory system for the drainage and disposal of foul and surface water ;
- (l) have a suitable sink and impervious draining surface, suitable and adequately ventilated provision for storage of food, and either a satisfactory built-in cooker or a gas or electricity connection for a cooker : generally the disposition of these facilities should make the preparation and cooking of food capable of being carried out in a convenient and hygienic manner ; (photographs 16 and 17)
- (m) have adequate provision for the heating of living rooms, bedrooms and the kitchen ;
- (n) have adequate points for the use of electric appliances where an electricity supply is reasonably available ;

- (o) have adequate space for facilities for washing and drying clothes ;
 - (p) have proper provision for storing fuel (where required) ;
 - (q) have satisfactory provision for storing refuse ;
 - (r) have a satisfactory access to all doors and outbuildings ;
- and that
- (s) dwellings in blocks of five or more storeys should be served by a lift where it is physically and economically practicable to provide one.

37. If the local authority approve the arrangement, shared bathrooms and w.c.s may be accepted for blocks of one person dwellings.

Explanatory notes for the standard

38. We have described in paragraph 35 what we think is necessary for a satisfactory environment. We do not think that items (g)–(j) of our proposed standard need amplification, but for the remaining items we suggest the following explanatory notes :

(b) (i) *In a stable condition.* There should not be any indication of the probability of any movement of the structure which would cause either danger to the occupants or an acceleration in the deterioration of the fabric of the dwelling.

(ii) *A good state of repair.* This applies to all parts of the dwelling and the condition of appurtenant outbuildings should be taken into account. Externally all roof coverings should be intact and properly secured, brickwork or stonework should be sound and well pointed, all ironwork and flashings securely fixed and exposed woodwork undecayed. All painted surfaces should be in good order.

Internally all plastered surfaces should be firm and undamaged and the woodwork of both the fabric and the fixtures in a sound condition. All sanitary fittings, fitted cooking ranges, fire grates and fittings and electrical and gas installations should be in good working order.

(iii) *Free from damp.* Free from both rising and penetrating damp, and from persistent condensation due to inadequately insulated surfaces.

(c) *Satisfactorily arranged internally.* The arrangement of the rooms, passages and staircases should not in any way constitute a hazard or cause serious inconvenience to the occupants. This implies convenient access to all habitable rooms and workrooms, stairs of a safe pitch, adequate landings, handrails where necessary, and any changes in floor level clearly defined. A w.c. opening directly off a living room or kitchen is not satisfactory.

(d) *Adequate natural lighting to each habitable room and working kitchen.* There should be adequate natural lighting in all rooms intended for sleeping, for sitting, for the preparation and cooking and for the consumption of prepared meals, to enable the room to

be used for its intended purpose without the use of artificial light during full daylight hours under good weather conditions.

- (e) *Adequate points for artificial lighting by gas or electricity in each room, staircase, passage, and cellar in use.* The lighting points should be placed and capable of being controlled so that each room, passage, staircase and any cellar which is used can be adequately and conveniently illuminated.
- (f) *Adequate means of ventilation throughout.* There should be adequate ventilation of all habitable rooms and working kitchens to the external air. For example, windows should be capable of being opened to such an extent that fresh air can readily circulate to all parts of the room. Bathrooms and w.c.s should also be suitably ventilated.
- (k) *A satisfactory system for the drainage and disposal of foul and surface water.* All gutters, down pipes, foul and surface water pipes should be adequate for normal discharge. Drains of adequate capacity should be laid to proper falls with necessary inspection chambers in good order and connected to an appropriate disposal unit, i.e. a public sewerage system, septic tank or cesspool capable of dealing with the effluent.
- (l) *A suitable sink and impervious draining surface, suitable and adequately ventilated provision for storage of food, and either a satisfactory built-in cooker or a gas or electricity connection for a cooker: generally the disposition of these facilities should make the preparation and cooking of food capable of being carried out in a convenient and hygienic manner.* The sink should have an impervious surface. Stainless steel, vitreous enamel, glass-fibre or glazed earthenware would be suitable. The impervious draining surface may be of stainless steel, laminated plastics, vitreous enamel or a suitable hardwood. A built-in cooker may be fired by solid fuel or oil.
- (m) *Adequate provision for the heating of living rooms, bedrooms and the kitchen.* Heating may be by central heating, by radiators or ducted warm air, open grates, solid fuel stoves, or by gas or electric radiant or convected heating. Where solid fuel is used, the appliance should be suitable for the burning of smokeless fuel.
- (n) *Adequate points for the use of electric appliances where an electricity supply is reasonably available.* There should be at least one power point in each habitable room and working kitchen, in addition to any connection for an electric cooker.
- (o) *Adequate space for facilities for washing and drying clothes.* There should either be adequate floor space in the scullery or working kitchen for the use of washing, rinsing and/or drying machines, or a suitable sink for the washing of clothes together with an external drying ground with paved access. Any reasonable combination of these facilities would be acceptable.
- (p) *Proper provision for storing fuel (where required).* If solid or liquid

fuel is used there should be a fuel compartment of adequate capacity. For solid fuel it should be covered and, if external, approached by a paved path.

- (q) *Satisfactory provision for storing refuse.* There should be a paved standing for the refuse bin approached by a paved path from the dwelling. It should be possible for the bin to be removed to a high-way over a paved path, without passing through the dwelling.
- (r) *Satisfactory access to all doors and outbuildings.* There should be a paved path to each access door from one boundary of the curtilage.

Other categories of improvement

39. There will be many houses which are likely to stand for some years but which, for one reason or another, cannot be improved to the full satisfactory standard. Their structural condition may not justify spending enough money on them for full improvement. The amount of space available may make it impossible to provide, say, a bathroom (though it should be borne in mind that a measure of conversion, taking two or three dwellings together, may make possible one or two satisfactory dwellings). Some will have a relatively short life because of known planning proposals for redevelopment, for example to provide a new school or road. In other cases it may be impracticable to improve the environment to a good standard and yet the slum clearance problem in the town may mean that it will be some time before the clearance of the area can be undertaken. We discuss in Chapter 5 the way in which local authorities should review the condition of houses and draw up plans for action. If 'full improvement' to the satisfactory standard is not justified, we consider that the possibility of improvement to one of two other categories should be investigated. We call these the 5 point and the 3 point scale.

40. These dwellings will be ones which comply with the minimum fitness standard or can be made to do so at reasonable expense.

The 5 point scale

41. The better ones should be provided with those facilities for which standard grant is now available (under the House Purchase and Housing Act 1959 as amended by the Housing Act 1964).

These are :

- (a) a fixed bath or shower ;
- (b) a wash-hand basin ;
- (c) a w.c. ;
- (d) a food store ;
- (e) a hot and cold water supply to the bath or shower, wash-hand basin and to a sink.

The 3 point scale

42. Where this level of improvement is not practicable, those facilities for which reduced standard grant is now available should be provided.

These are :

- (a) a sink with hot and cold water supply ;
- (b) a w.c.
- (c) a food store.

Chapter 3

The minimum fitness standard

43. Decisions about which houses are unfit for human habitation and, if so, whether they should be pulled down or repaired, depend at present on the interpretation of section 4 of the Housing Act 1957. The heading of this section is 'Definition of Standard of Fitness' but it is expressed in such broad terms that there have been doubts about the uniformity of interpretation. Section 4(1) reads:

'In determining for any of the purposes of this Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair ;
- (b) stability ;
- (c) freedom from damp ;
- (d) natural lighting ;
- (e) ventilation ;
- (f) water supply ;
- (g) drainage and sanitary conveniences ;
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water ;

and the house shall be deemed to be unfit for human habitation if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition'.

44. In practice, where areas of houses are dealt with, orders have to be submitted to the Minister, whose Inspectorate provide the means of maintaining consistency in interpretation. When individual houses are dealt with there is machinery for appeals to the County Courts. Nevertheless, it is not satisfactory for an owner to feel it impossible to get any clear idea of what the standard means until his house is the subject of an order or notice.

45. The following explanatory notes which, as we explained in paragraph 13, we have prepared for this standard, are based on the Ministry's practice :

Explanatory notes for section 4 of the Housing Act 1957

(1) These notes are intended as a guide in deciding whether or not a house fails in respect of any of the eight items in section 4 of the

Housing Act 1957, to which regard has to be paid in deciding whether or not a house is unfit for human habitation.

(2) Unfitness may be due to the severity of one defect ; or be due to the combined effect of two or more items. On the other hand, a house may suffer from one or more defects but to such a slight degree that it cannot be said to be unfit.

(3) Attention is drawn to the distinction in the use to which the minimum fitness standard of section 4 of the Housing Act 1957 is put in Part II of the Act and Part III. In the case of an individual unfit house dealt with under Part II, the value of the house and the cost of works necessary to make it fit are relevant. On the other hand, under Part III of the Act, what has to be shown is whether demolition is the best way of dealing with the houses in a clearance area.

(4) Items in section 4 :

(a) *Repair*. To be satisfactory, any part of the structure must function in the manner in which it was intended. Any disrepair that may exist in the house and its curtilage should not be a threat to the health of, or cause any serious inconvenience to the occupants. A multiplicity of items may well cause serious inconvenience.

Consideration must be given to the condition of all parts of the fabric of the house and to the fixtures normally provided by a landlord. It is not expected that disrepair of outbuildings, of boundary walls and of the surfaces of yards and paths will be sufficient, in the absence of defects in the house itself, to render it unfit but disrepair of these items should be taken into account in assessing the unfitness of the whole house.

The internal decorative condition of a house is largely dependent on the manner of occupation and should not, therefore, be taken into account. Although exterior painting is necessary for weather protection and is desirable from the point of view of amenity, lack of it does not by itself render a house unsuitable for occupation but it may well lead to serious disrepair of woodwork.

(b) *Stability*. Evidence of instability is only significant if it indicates the probability of further movement which would constitute a threat to the occupants of the house.

(c) *Dampness*. Any dampness should not be so extensive or so pervasive as to be a threat to the health of the occupants. Such items as a small patch of damp caused by defective pointing around window reveals or door jambs or by a defective rain water pipe are due to disrepair rather than inherent dampness. Care must also be taken not to be misled by temporary condensation.

(d) *Natural lighting*. There should be sufficient natural lighting in all rooms intended for sleeping, sitting or the consumption of prepared meals to enable domestic work to be done without the use of artificial light under good weather conditions.

(e) *Ventilation*. There should be adequate ventilation of all habitable rooms and working kitchens to the external air. For example,

windows should be capable of being opened to such an extent that fresh air can readily circulate to all parts of the room.

Windows, satisfactory in themselves, may be made unsatisfactory by external obstructions.

- (f) *Water supply.* There must be an adequate and wholesome water supply within the house. While one tap may be adequate, a polluted supply would, and an intermittent supply could alone be a sufficiently serious defect to render the house unfit.
- (g) *Drainage and sanitary conveniences.* There should be a readily accessible water closet for the exclusive use of the occupants of the dwelling in a properly lighted and ventilated compartment. (Where a shared water closet for single person dwellings has been approved by the local authority, it would not constitute a defect). The water closet and bath or shower (if any) should be connected to an efficient disposal system, i.e. a public sewerage system, septic tank or cesspool capable of dealing with the effluent.

There should be adequate means for the disposal of water from roof surfaces and yard pavings. Gutter and disposal pipes should be of a capacity capable of dealing with the normal discharge.

- (h) *Facilities for storage, preparation and cooking of food and for the disposal of waste water.* There should be a sink, with an impervious surface, located beneath the piped water supply and connected to a suitable disposal system.

There should be either a suitable fixed solid fuel or oil fired cooking appliance or provision for the installation of a gas or electric cooker.

There should be a compartment for the storage of food, ventilated to the external air.

Generally the disposition of these facilities should make the preparation and cooking of food capable of being carried out in a convenient and hygienic manner. (Photograph 16.)

46. The interpretation of the section is not entirely free from doubt, however. Evidence was put to us that, in spite of the intention of the legislators that a house might be considered unfit for habitation because of a combination of defects, and of the Ministry's circular No. 55/54, which explained that the standard had been drafted to achieve this, there was doubt whether a house could be found unfit because of an accumulation of defects, no one of which was sufficiently serious to justify condemning the house on that ground alone. We have accepted the Ministry's view for the purposes of our explanatory notes but there have been conflicting decisions in the County Courts on this point. Apart from any need to clarify the standard in other respects or to raise the level, most of those who replied to our questionnaire took the view that the standard needed revision to make it absolutely clear that decisions on unfitness could be based on cumulative defects. We agree that any room for doubt should be removed.

A new standard

47. Many of those who replied to our questionnaire suggested that the standard should be more specific but they also tended to rely on terms such as 'adequate', 'satisfactory' and 'reasonable'. We have already commented (paragraph 12) on the wide variety of conditions which exist, all of which need to be covered by the standard. It is also true that there are defects which have a greater significance in some areas than others. For example, in a single house in a country area where there is plenty of space and air about the house, small windows which may result in relatively poor natural light will be far less significant than they would be in a crowded urban area where the nearness of other buildings reduces their effectiveness.

48. We have made it plain (paragraph 17) that, as so many unfit houses still remain to be dealt with, we consider it would be unrealistic to raise the fitness standard substantially at the present time. Although various additional matters were suggested to us as appropriate for inclusion, we do not feel justified in adding any items that would be likely to mean big increases in the numbers to be condemned. We are, however, satisfied that artificial lighting and some defects of internal arrangement (such as stairs without landings opening directly off bedrooms and w.c.'s opening directly off living rooms) ought to be taken into account. We also suggest that the standard should be raised so as to provide for access to the w.c. to be under permanent cover and for an impervious draining surface adjoining the sink. Our proposed standard is drafted accordingly but our proposals represent in the main the spelling out of the matters already listed in section 4 of the Housing Act 1957 in positive form and to make them more specific. We think that this will make for greater certainty.

49. The present standard relates to a 'house' and this has been held* to include, for example, a block of tenement flats. We have expressed our proposed new standard in relation to a 'dwelling' (as defined in paragraph 29) to make it clear what facilities should be available to the occupants of such a unit.

50. In our view, to be habitable a dwelling should :

- (a) be in a satisfactory state of repair ;
- (b) be free from progressive instability ;
- (c) be substantially free from damp ;
- (d) have adequate natural lighting to each habitable room ;
- (e) be provided with adequate means of ventilation throughout ;
- (f) have an adequate supply of wholesome water laid on in the dwelling ;
- (g) have a satisfactory system for the drainage and disposal of foul and surface water ;

* *Quiltotex Co. Ltd., v. Minister of Housing and Local Government and Another* [1965] 2 All E.R. 913.

- (h) have a suitably located and satisfactory sanitary convenience for the exclusive use of the occupants, with access under permanent cover ;
 - (i) have adequate and suitably ventilated provision for the storage of food, a suitable sink with cold water supply and impervious draining surface, and either a satisfactory built-in cooker or a gas or electricity connection for a cooker ;
 - (j) be free from internal bad arrangement ;
 - (k) have a satisfactory installation providing adequate artificial lighting, by gas or electricity if reasonably available ;
- and a dwelling should be regarded as unfit if it is so far defective in respect of any one of these matters or in respect of any combination of two or more such matters, that it is not reasonably suitable for occupation.

Explanatory notes for the revised minimum fitness standard

51. The additions and alterations which would be needed to the notes prepared for the present standard are set out below. Notes corresponding to paragraphs (1)–(3) of the notes for the present standard of section 4 would be required. For items (a)–(f) of the proposed new standard, no alterations are needed to the notes for the corresponding items of the present standard. For the remainder, we suggest :

- (g) *Satisfactory system for the drainage and disposal of foul and surface water.* The water closet, sink and bath or shower (if any) should be connected to an efficient disposal system, i.e. to a public sewerage system, septic tank or cesspool capable of dealing with the effluent. There should be adequate means for the disposal of water from roof surfaces and yard pavings. Gutter and disposal pipes should be of a capacity capable of dealing with the normal discharge.
- (h) *Suitably located and satisfactory sanitary convenience for the exclusive use of the occupants, with access under permanent cover.* There should be a readily accessible water closet for the exclusive use of the occupants of the dwelling in a properly lighted and ventilated compartment which, if not internal, can be reached under permanent cover. (Where a shared water closet for single person dwellings has been approved by the local authority, it would not constitute a defect).
- (i) *Suitable and adequately ventilated provision for the storage of food; a suitable sink with cold water supply and impervious draining surface; and a satisfactory built-in cooker or gas or electricity connection for a cooker.* Generally the disposition of these facilities should make the preparation and cooking of food capable of being carried out in a convenient and hygienic manner. The food store should be ventilated to the external air. The sink should have

an impervious surface. The draining surface may be of stainless steel, laminated plastics, vitreous enamel or a suitable hardwood. There should be either a fixed solid fuel or oil fired cooking appliance or provision for the installation of a gas or electric cooker.

- (j) *Free from internal bad arrangement.* Internal bad arrangement is any feature which prohibits the safe or unhampered passage of the occupants in the dwelling e.g. narrow, steep or winding staircases, absence of handrails, inadequate landings outside bedrooms, ill defined changes in floor levels, a bedroom entered only through another bedroom, and also includes a w.c. opening directly from a living room or kitchen.
- (k) *Satisfactory installation providing adequate artificial lighting, by gas, or electricity if reasonably available.* There should be adequate points for artificial lighting of each room (other than rooms used only for storage), staircase, passage, and any cellar which is used.

Environmental conditions

52. Environmental conditions are as relevant to questions about fitness for habitation as they are to the satisfactory dwelling. We recognise that the Housing Act 1957 requires the local authority to consider whether demolition is the best method of dealing with houses in a proposed clearance area. The relevant part of Section 42(1) provides : 'Where a local authority upon consideration of an official representation or other information in their possession, are satisfied as respects any area in their district—

- (a) that the houses in that area are unfit for human habitation or are by reason of their bad arrangement, or the narrowness or bad arrangement of the streets, dangerous or injurious to the health of the inhabitants of the area, and that the other buildings if any, in that area are for a like reason dangerous or injurious to the health of the said inhabitants ; and

- (b) that the most satisfactory method of dealing with the conditions in the area is the demolition of all the buildings in the area ;

the authority shall cause that area to be defined on a map in such manner as to exclude from the area any building which is not unfit for human habitation or dangerous or injurious to health and shall pass a resolution declaring the area so defined to be a clearance area, that is to say, an area to be cleared of all buildings in accordance with the subsequent provisions of this Part of this Act.'

53. We think, however, that more emphasis needs to be placed on the effect of unsatisfactory environment on housing conditions. We have described conditions in which smells and noise were making living conditions intolerable. Dust, smoke, fumes and vibration can have similar effects. Clearly these are not matters for which the owners of

the houses would normally have any responsibility. If, therefore, houses are to be cleared because conditions cannot be improved, compensation should not be affected, as it would be if the houses were declared unfit. We suggest that local authorities could be given power to clear the houses without adversely affecting the owners' compensation, by introducing into Section 42 of the Housing Act 1957 an additional ground on which houses, without being deemed to be unfit, may be included in a clearance area. This consideration might be that the houses are made unsuitable for occupation by the proximity of offensive or noisy processes. We would regard this as including excessive traffic noise. (Photograph 6.)

Chapter 4

Maintenance

The problem

54. As we have already stated, the nation's stock of houses, whether privately or publicly owned, is one of its most important assets.

55. Because houses have in the past been allowed to fall into decay and have not been modernised to keep pace with rising standards, we are now faced with the millions of houses that demand replacement or radical improvement at great expense. (Photograph 4.) We must not allow this situation to be repeated.

56. It follows that houses must be properly maintained.

57. It was represented to us in evidence that the present provisions for securing the repair of houses are inadequate and that the concept of 'reasonable cost' as a measure of whether a house is worth repairing is unsatisfactory. The Housing Act powers come into operation only if the house is unfit by the standard of Section 4. If they are invoked, the house must be made fit. The Public Health Act powers allow nuisance to be dealt with. In either event, the standard of repair which can be required is a very low one—the minimum necessary to take the house out of the demolition class or to abate the nuisance. The powers do not allow local authorities to tackle the deterioration of housing which has not yet sunk into unfitness even though this would obviously be the right time and the most economical way to deal with it.

58. If houses are allowed to become unfit when this could be prevented or delayed, they will have to be replaced, usually by the local authority, and thus at substantial expense to the community. If this loss of houses could be avoided, the same resources might be used to reduce the shortage of accommodation or for other urgent needs. We consider, therefore, that there is a public interest in ensuring a reasonable level of maintenance for all houses and that repair and improvement should be looked at as part of the same effort to preserve the national assets represented by the stock of existing houses. This will have implications for legislation on repair and improvement, which hitherto have tended to be dealt with in separate compartments. There would, we think be advantage in any event in embodying the various repair provisions of the Housing Acts and the Public Health Acts in a

single code. We recommend that in addition local authorities should be given effective powers to secure the maintenance of *all* dwellings, not merely those which are old or have been neglected in the past, regardless of tenure. We can, however see no escape, from some concept of 'reasonable cost' as a test of whether the work should be done.

What the standard should be

59. The standard of maintenance to be required would necessarily vary. If houses are already unfit and cannot be made fit at reasonable expense, it would not be reasonable to require more than the minimum work to keep them weatherproof and deal with other nuisances. If they are sound but lacking in amenities and cannot be improved to any of the levels we have described in Chapter 2, we think that they should be kept in the state of repair appropriate to the minimum fitness standard, (i.e. a satisfactory state of repair) ; if they are of, or can be brought up to, the full improvement standard, then they should be required to come up to the good state of repair appropriate to that level (paragraphs 36 and 38).

Finding the money

60. Since we are saying that there will be advantage to the community in keeping houses in repair, we have considered whether grants for private owners would be appropriate. We recognise the difficulties created by past controls but we have come to the conclusion that to concede the principle of grants would put a premium on neglect. We think that there is no justification therefore for a special incentive to owners to maintain their houses at an appropriate level. Repair must be seen to be part of the duty of property owners but clearly it must be made economically possible for them to carry out this duty. At present this is frequently not the case. For rented property, we hope that the Rent Act 1965 will help to deal with the situation when controlled properties are brought within the system of rent regulation. This ought not to be too long delayed.

61. There will, however, still be problems for some owners and the local authority should lend the money where necessary. In other cases where the owners may be unable or unwilling to face the expense of keeping their property in good repair, for example elderly people on fixed incomes, the local authority should be empowered to advance the money and register a charge on the property, repayable on sale or transfer. There should also be a procedure which would allow an owner who was unwilling to undertake the work to require the local authority to purchase the property. The authority would then have to carry out the work themselves. In addition there should be a power for the local authority to enter, do the work and recover the cost, not only

where the owner failed to carry it out but, where appropriate, at his request.

Enforcement

62. Our attention was drawn to special difficulties in securing the repair of the main fabric of buildings comprising flats, especially where the individual flats are in separate ownerships or have been let on long leases. Not all the problems relate to the Housing Acts or matters for which local authorities have any responsibility. But, for the enforcement of the provisions which we recommend, we think that local authorities should be given power, when there is any doubt about where responsibility for repair lies, to serve notices on all owners who have an interest in the building. If, within a specified time, those concerned fail to agree on responsibility and to arrange for the work to be done, the local authority should be entitled to do the work and recover their expenses.

63. In any other case where there is difficulty about deciding the division of responsibility between owner and tenant for maintenance, we think the local authority should be able to serve notices on the owner, who should be able to recover the cost where appropriate.

64. There would have to be provision for the Courts to settle disputes about where the responsibility for the cost lay in cases of the kind described in the two preceding paragraphs. There are provisions in the Housing Acts* to define the responsibilities of owners in the case of certain small dwellings let for less than three years and in the case of other dwellings let for less than seven years after the passing of the Housing Act 1961. There may well be other cases, however, where the existing contracts or leases do not sufficiently define the respective repairing obligations. The implementation of the recommendations of the Committee on Positive Covenants Affecting Land† would help and might indeed be essential to enable our proposals to be brought fully into effect.

65. In all cases we would expect there to be provision for appeal to the Courts if there were disagreement about the reasonableness of the works required. Where there was no appeal, or any appeal had been settled, and the work was not carried out, the local authority should have power to do it and recover their costs as a civil debt or make them a charge on the property.

* Section 6 of the Housing Act 1957 and Sections 32 and 33 of the Housing Act 1961.

† Report of the Committee on Positive Covenants Affecting Land Cmnd. 2719. HMSO 3s.

Chapter 5

How the standards might be applied

66. The most urgent task is to get rid of the present slums. A quarter of all the unfit houses included in the 1965 return were in 4 local authority areas—Liverpool, Manchester, Birmingham and Sheffield—while half of all the unfit houses were in 24 local authority areas, mainly in Lancashire and Yorkshire (see Tables 1 and 2 and Map). On past performance some local authorities would take upwards of 40 years to clear their present slums and, even if it should prove possible to save some of these houses by making them fit and improving them, the length of time that many people would have to live in appalling conditions is, in our view, quite unacceptable. The problem of the concentration of unfit houses in a relatively small number of areas arises for historical reasons and the fact that these houses still remain must not be seen as a criticism of those local authorities but rather as a national failure to realise that special help and attention must be diverted to these areas.

67. Generally the national policy should be to eliminate all the present slums within seven years and, even in the areas where the problem is most serious, within fifteen years. This would mean a very substantial speeding up for many authorities but even so, since people must live all that time in these places, their homes must have some attention. We think that our proposals for a new repair code would help in securing that the houses are kept reasonably weather-proof and that other nuisances are dealt with.

68. We would expect those authorities which cannot deal with all their present unfit houses within seven years to justify their programmes to the Minister and, for those houses which must stand between seven and fifteen years, to undertake programmes of acquisition and 'patching' under the powers at present laid down in Sections 46 and 48 of the Housing Act 1957. Birmingham has shown how such houses can be treated. The patching which they undertake normally involves substantial repair of the roof, some rebuilding of defective walls and chimneys, the replacement of gutters and down pipes, partial replastering, repairs to floors, replacement of fire grates, decorating and, where necessary, provision of piped water, electric lighting and new w.c's.

69. The work is uneconomic and Exchequer grant* is available for it. We understand that local authorities have not been encouraged to undertake the work because of the danger of slowing down clearance programmes and we realise the force of this. But 15 years is the length of a childhood and many children will be brought up in these houses. Where the Minister is satisfied that local authorities cannot, however fast they go, clear the houses within 7 years, we think that he should be empowered to require that patching should be undertaken to provide the minimum of decent conditions. The grant may need reconsideration.

70. These proposals mean that the necessary resources of labour, materials and staff must be channelled by the Government to those local authorities with the most serious problems. It is by no means easy to suggest ways of doing this, but the Minister has control over both finance and programmes and the effect of using this control could influence the distribution of resources. It may well be necessary to take other measures. At present the Ministry provides architectural assistance to some local authorities and we recommend that the Minister should consider making other professional assistance available to those authorities which need it most.

71. We have set targets for the clearance of those houses which are at present unfit but it must be strongly stressed that the problem of inadequate and obsolescent housing is a continuing one. When the present slums have been cleared other houses will come into the replacement category. No programme of improvements or, indeed, maintenance could completely prevent deterioration and in any event acceptable housing standards will rise. It is, therefore, necessary for local authorities to look further ahead. However, a very large number of old houses can be improved to provide satisfactory living conditions. Indeed, if this is not done, future clearance programmes will have to be still larger.

72. It is these thoughts that have led us to the conclusion that local authorities ought to make a much more comprehensive approach to the housing problems of their areas. They should be required to review the condition of all the houses in their districts and draw up plans for different types of area action—clearance (and where appropriate 'patching'); minimum improvement to the 3 or 5 point scale as appropriate; and full improvement. We think that the definition of suitable areas for treatment of one kind or another is the only way to make action administratively practicable and to allow sensible decisions to be taken about priorities. (Photographs 3 and 13.)

73. Areas for which 'full improvement' is appropriate are those where the houses are sufficiently good for our recommended standard for a satisfactory dwelling to be enforced. This will depend partly on the

* Section 13 of the Housing (Financial Provisions) Act 1958 as amended by Section 97 of the Housing Act 1964.

condition of the houses and the prospects for improving the environment if this is necessary, and partly on whether there are planning proposals for the area which restrict the life of the houses.

74. At the other end of the scale from full improvement are future clearance or redevelopment areas. If these are going to be redeveloped in less than 7 years, the minimum repair standards described in Chapter 4 are the most that can reasonably be required—these will depend on whether or not the houses are unfit. For some of these houses the appropriate action may be acquisition and some patching by the local authority.

75. In between are the areas of houses, which for one reason or another, cannot be brought up to the full improvement standard. Indeed, some houses of this kind may be found within a full improvement area—they may be in poorer condition than the rest or they may not have room for adding all the recommended facilities. For these we have suggested in Chapter 2 two other categories of improvement. Which is appropriate will depend on factors we have already described—the condition of the houses, whether there is room for a bath, any planning proposals.

76. In every instance what is important is the capacity of the house for improvement. How much work is worth doing to renovate its fabric and provide satisfactory amenities? We do not think that 'life' is the sole test to apply here. It is an artificial concept. But some notion of the length of time for which a house will remain in use is essential in deciding what action to take on it.

77. All dwellings which are expected to remain in use for at least 25 years should be brought up to the standard for a satisfactory dwelling. If they are expected to remain in use for at least fifteen years the five point scale would be appropriate. Those which are expected to remain in use for between seven and fifteen years should be improved to the 3 point scale.

78. Again we draw attention to the financial position of private landlords and to the difficulties (made clear in the Milner Holland Report*) which present taxation imposes on landlords seeking a reasonable return from the improvement of residential property with a life shorter than 25 years. We think that these matters need urgent attention and we refer in Appendix 2 to the need for further study.

79. Even though it is worthwhile from the community's point of view to ensure that houses are improved, many owners will have difficulty in finding the necessary money. If improvement is to be compulsory, the existing arrangements for mandatory grants and loans will need extension. We believe also that the present cumbersome and lengthy procedures make present improvement legislation ineffective and that they will need reconsideration and revision.

80. We recommend that local authorities should be required to submit

* Report of the Committee on Housing in Greater London Cmnd. 2605
HMSO £1 2s. 6d.

proposals to the Minister for achieving programmes of the kind we have outlined. Clearly those authorities with the gravest slum clearance problems would need longer than the majority to carry out the programmes but we are sure that clear targets must be set for improvement as well as for slum clearance. What can be achieved by a vigorous and determined authority is shown in Appendix 4.

Chapter 6

Collection of information

81. If local authorities are to carry out plans of the kind discussed in Chapter 5, they and the Minister will need more accurate information about the condition of houses. Local authorities need information about the dwellings in their own areas. The Minister needs information about national totals in order to estimate the total demand on resources. He must also know the individual needs of local authorities in order to make decisions about priorities and the allocation of resources.

82. We recommend that the Minister should collect more detailed information from local authorities about the numbers of unfit houses in their areas. In the past there has been a reluctance to ask those local authorities which have obviously overwhelming slum clearance problems to divert staff resources to surveys and this is understandable. One of our working parties, however, carried out sample surveys with the co-operation of 6 local authorities, using a variety of sampling methods for selecting the houses to be visited. In some cases a substantial amount of rather tedious clerical work was involved in arriving at the sample but the amount of time required from experienced Public Health staff varied from 4 man-days in the smallest town looked at, with a population of 40,000, to 17 man-days (i.e. 2 men for 8½ days) in the largest, with a population of over half a million.

83. We believe that local authorities could, with advantage, use sample survey techniques to arrive at much more accurate estimates of the numbers of dwellings of different condition and Appendix 3 sets out our recommendations. Our Working Party was concerned with fitness standards but the method could be adapted, without greatly increasing its complexity to gain information about the numbers of dwellings falling in or below each of the improvement categories.

84. The information collected by this method cannot give 100% accuracy but would be within reasonable margins of error and in any case the condition of individual houses changes over a period of time. It would therefore give a better picture than we have at present of the order of the problem in different places. It would also be a more reliable estimate of regional and national figures, which would provide the basis for a national plan for dealing with older houses.

85. Substantially more detailed information would subsequently have to be obtained about particular districts when action is contemplated. This is a big job but would not have to be done all at once. Once the information was collected, it should not require great additional expenditure of effort and time to keep it up to date.

86. It is an essential feature of our recommendations that local authorities should keep housing conditions under continuous review.

87. For the purpose of making a first quick assessment of the total problem, the Minister might well have a national sample survey made. For the purpose of allocating resources among authorities, however, he should, in our view, call for information from local authorities about the number of houses and dwellings in each district which are unfit for human habitation or 'badly arranged' *at the time of the return*. The numbers which could be made fit at reasonable expense should be distinguished, as should those which are to be 'patched'. He should also ask for information about the dwellings which fall below the full improvement standard and the programmes for bringing them up either to this standard or to the 5 point or 3 point scales as appropriate. Where full records or survey information are not already available, these figures should be based on sample surveys. They could be kept up to date by means of similar sample surveys at reasonable intervals. We suggest every three years.

88. So far as local authorities' own needs are concerned, they will usually have a clear idea of the areas which need attention first and will be able to concentrate on getting more detailed information about those. It will then be possible to keep the information up to date as action is taken and to add information about other areas as these come into the action programme.

89. It has been suggested to us that it could be helpful in the assessment of housing conditions, if the Ministry provided an advisory service for local authorities on the well-established lines on which professional officers employed by the department are consulted whenever occasion arises. We think this possibility should be considered by the Minister.

Secretariat

90. We cannot end this report without expressing our gratitude and appreciation to our Secretary, Miss A. M. Constantine, and her assistant, Mr. K. D. Evans, who have served us so excellently. They have had to work under great pressure but have never failed to anticipate our needs. We would not have been able to finish our report in the time that was set for us if it had not been for the great effort made by them and their supporting staff. We have also had invaluable help from other officials of the Ministry.

Evelyn Denington (Chairman)
Harry Brummitt
Karl Cyril Cohen
J. Barry Cullingworth*
D. V. Donnison*
John P. Macey
Thomas E. North
Andrew B. Semple
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Wm. Williams
R. C. Wofinden

A. M. Constantine (Secretary)
K. D. Evans (Assistant Secretary)

* signed subject to reservation

Summary of conclusions and recommendations

(1) There is a need for a comprehensive approach to the problems presented by older houses and a coherent pattern of standards. More research is needed into the criteria for achieving the most economic allocation of resources between replacement and improvement (paragraphs 3 and 7).

(2) Effective compulsion is needed to improve and maintain the better old houses ; more pressure is needed to secure the early clearance of the worst (paragraph 8).

(3) Standards can be made more objective than at present but a substantial element of judgment must remain. To serve the needs of those who must apply the standards and be as comprehensible as possible to members of the public, we recommend that standards should be expressed in fairly broad terms and expanded by explanatory notes. These notes should be made generally available (paragraphs 9–13).

(4) Because of variations in the size and character of the problem, some local authorities will inevitably be dealing with houses in worse condition than those being tackled by other authorities (paragraph 15).

(5) We recommend standards for a satisfactory dwelling, with appropriate notes, and for the improvement of dwellings which are not worth bringing up to the full standard but which must stand for some time (paragraphs 16, 36–38, 41 and 42).

(6) There is a continuing need for a minimum fitness standard. We make recommendations for its revision, with appropriate notes (paragraphs 17, 45, 50 and 51).

(7) The environment in which houses stand is as important to living conditions as the houses themselves and must be taken into account in the standards (paragraphs 18, 19, 35 and 53).

(8) We recommend that local authorities should have a duty to clear houses where living conditions are made intolerable by bad environmental conditions (paragraphs 20 and 53).

(9) In order to achieve environmental improvements or to take decisions about the removal of houses, it will be necessary for the housing authority to consult closely with the local planning authority and the Medical Officer of Health (paragraphs 19 and 20).

- (10)** There is a need for a new maintenance standard to prevent the deterioration of the housing stock. We recommend that local authorities should be given the necessary powers to secure proper maintenance of all houses (paragraphs 23 and 58–65).
- (11)** Targets should be set for getting rid of all those houses which are now unfit by the present standard. Those authorities which cannot clear all their present slums within seven years should undertake programmes of acquisition and 'patching' to secure the minimum of decent conditions in those houses which will have to stand for between seven and fifteen years. The patching grant may need reconsideration (paragraphs 67–69).
- (12)** The necessary resources should be channelled to those authorities with serious slum clearance problems (paragraph 70).
- (13)** Local authorities must also look ahead to plan future programmes according to the prospects for the houses in their districts. Targets for improvement programmes should be approved by the Minister (paragraphs 71–76 and 80).
- (14)** We draw attention to the financial difficulties involved for private landlords seeking to maintain and improve low-rented residential property and we suggest that further study is needed of the problems involved (paragraphs 60 and 78).
- (15)** If improvement is to be compulsory, the existing arrangements for mandatory grants and loans will need extension. Present improvement legislation should be reconsidered and revised (paragraph 79).
- (16)** In order to carry out programmes of the kind outlined, local authorities and the Minister will need more information than has been collected in the past. Local authorities should be required to collect and consider information about the condition of all houses regardless of ownership and tenure (paragraphs 24, 28 and 81).
- (17)** Local authorities can make more accurate estimates of the total numbers of dwellings involved by using sample survey techniques (paragraphs 83 and 84).
- (18)** More detailed information would have to be collected subsequently when action was taken on particular areas of houses and should then be kept up to date (paragraphs 85, 86 and 88).
- (19)** The Minister should collect more detailed information than in the past about housing conditions (paragraphs 82 and 87).
- (20)** The Minister should consider providing an advisory service, comparable to his other professional advisory services, to assist local authorities in assessing housing conditions (paragraph 89).

Note of reservation

(1) Though I fully support the main body of the recommendations put forward by the Committee, there are two points on which I must regretfully record my reservations. These relate to the use of compulsory powers for the improvement of older houses, and the requirement that a fit house must have a ventilated food store.

Compulsory improvements

(2) The use of compulsory powers over the owners of property (whether they be landlords or owner-occupiers) is justified whenever the community interest is inadequately served by voluntary action. Thus if, without compulsion by the local authority, a private owner will allow his property to deteriorate, then there is a clear justification for compulsion. The case for this rests on the fact that not only may other owners' property be adversely affected, but also that a community asset is being allowed to decay.

(3) This principle can be clearly and fairly applied so far as maintenance is concerned. But difficulties arise when the issue is that of *improving* property. Though I am greatly concerned to see that older property is brought up to modern standards as quickly as possible and that the greatest possible encouragement should be given to this, I feel that the Committee has too easily accepted the necessity for compulsion.

(4) Since, by definition, an improvement is something much more than the arrest of decay, the argument which justifies compulsory maintenance cannot be applied. The only other ground which can be suggested is that of the minimum socially accepted standard. In practice this is related to an amalgam of the average level of provision and what is regarded as being socially desirable. Thus the possession of a w.c. is now regarded as a minimum standard amenity which should be provided for all. (At the date of the 1961 census about 1½ million households were lacking a separate w.c.—so the short-fall is by now of manageable proportions). It is a reasonable assumption that the majority of households lacking a separate w.c. would prefer to have

one. On a purely pragmatic view, therefore, a separate w.c. is, in my judgment, a perfectly reasonable component of a minimum standard. But, on my reasoning, this is so commonly accepted that the question of *compelling* people to have one hardly arises. However, when we come to other items in the Committee's suggested compulsory standard, the position is different. There are, for example, three million households lacking a fixed bath. Many of these, it can be assumed, would prefer to have one and so (for these) no question of compulsion is raised. But a significant proportion, particularly old people, may object to the disturbance or cost of having a fixed bath installed. Though I would agree that efforts should be made to persuade them to have one, I can see no grounds for compulsion. In short, to the extent that the recommended standard accords with commonly held aspirations, compulsion is irrelevant; to the extent that it does not, I fail to see the case for compulsion. The argument I am putting forward here is even stronger in relation to amenities which few seem to want at all—particularly the ventilated food store to which I refer later.

(5) Since it is the wishes and attitudes of occupiers with which I am concerned, my argument needs qualifying in so far as privately rented property is concerned. I have no hesitation in accepting the Committee's view that a landlord should, at the request of the tenant, be compelled to provide such amenities as are indicated in the Report. I do, however, make the proviso that the landlord is entitled to a fair return on his expenditure—a point to which I now turn.

(6) The Committee appears to argue that compulsory improvements are now required because voluntary action has been proved to be inadequate. Before this can be accepted, however, it is necessary to enquire *why* voluntary action is inadequate. Improvement grants are now running at a rate of about 120,000 a year. This is not a insignificant achievement. Unfortunately only about a third of these are being taken by private landlords; yet privately rented property is the most in need of improvement. In my view the evidence strongly suggests that private landlords are deterred from undertaking improvements because the costs which they have to bear are too great. I believe that a major increase in improvements could be achieved if landlords were allowed a reasonable post-tax return on their properties. The importance of this is referred to in the Committee's Report. The Committee, however, look upon it as an essential corollary to compulsory improvements; I regard it as desirable reform which would make compulsion largely irrelevant.

(7) To avoid misunderstanding I should stress that I fully accept the need for a standard for a satisfactory house, but in my view this should be a target to be aimed at and encouraged rather than a standard to which all ought to be compelled to comply. I believe that the improvement grants scheme has suffered from a lack of positive, purposive encouragement. Over a large part of the country it has received less publicity than any soap manufacturer introducing a new line would

consider to be an absolute minimum. A few areas have shown what can be achieved by a much more forceful (yet understanding) and direct approach to individual owners on an area by area basis. Much could be learnt from the experience of Leeds, Bristol and a few other cities and from the approach which is adopted in the United States. Certainly far more deliberate field work is required on the part of local authorities than has so far been evidenced. The Committee's recommendations for a comprehensive approach to the problem of old houses, for a planned programme of action, and for more loans to owners provide a useful basis for this.

(8) There is one final issue relating to improvements on which I feel comment is necessary. There is some evidence to suggest that owners are reluctant to tackle the full range of improvements which is demanded before a grant can be agreed. I see no reason why, e.g. a standard grant should not be given for a house eligible for full improvement if the occupier prefers the lower standard. Furthermore, I can see no objection to grants being paid by instalments over a lengthy period to owners who prefer to improve piecemeal. Though a more extensive system of loans towards the owners' cost of improvements would probably meet the wishes of many, there may be others who would prefer not to take on the total financial commitment at one time. There is scope here for much more flexibility on the part of local authorities.

The ventilated food store

(9) In the time available for the work of the Committee no direct enquiry into the attitudes and opinions of the households whose needs we are considering was possible. Indeed, we were specifically advised not to undertake major research projects. This was unfortunate: the surveys undertaken for the Milner Holland Committee have demonstrated how useful research can be. As a result the Committee's recommendations on standards largely represent the consensus of technical opinion. In one respect (and there may be others) this is contrary to the weight of popular opinion: I refer to the requirement for a ventilated food store. Though some of our evidence supported this, most of it did not. The Parker Morris Committee (see paragraphs 88–90) obviously had difficulty with this and I share the misgivings which are implicit in their Report. Indeed I would go further and say that the evidence suggests that many families do not wish to have a ventilated food store and that when it is provided the ventilation is blocked up to keep out dirt and the cold air. I thus cannot accept the Committee's recommendation that this should be one of the provisions in a satisfactory dwelling. *A fortiori* I feel that it should be deleted from the reduced 5 point and 3 point scales.

J. Barry Cullingworth

(In respect of paragraph (9) only) D. V. Donnison

Appendix 1: List of organisations and individuals who gave evidence

Local authority associations

Association of Municipal Corporations

*Rural District Councils Association

Urban District Councils Association

London Boroughs Committee

Local authorities

Greater London Council

†Birmingham Corporation

†Bristol Corporation

†Leeds Corporation

†Liverpool Corporation

Manchester Corporation

Salford Corporation

†Ebbw Vale Urban District Council

†Lambeth London Borough Council

†Lancaster Corporation

Rhondda Borough Council

Worthing Borough Council

†Atcham Rural District Council

Dartford Rural District Council

Wortley Rural District Council

Other organisations

*Association of Public Health Inspectors

British Medical Association

Building Research Station

Building Societies Association

Cambridge Civic Society

Chartered Auctioneers' and Estate Agents' Institute

Glamorgan Surveyors Association

Greencoat Properties Limited
Incorporated Association of Architects and Surveyors
Institute of Housing Managers
*National Federation of Property Owners
National Housing and Town Planning Council
Royal Institute of British Architects
Royal Institution of Chartered Surveyors
Royal Society of Health
School of Social Studies, University College, Swansea
Society of Medical Officers of Health
Town and Country Planning Association
Town Planning Institute
Worthing Home Safety Committee

Individuals

*R. Emerson, Esq, MRSH, MAPHI
A. C. Gittins, Esq, MRSH, MAPHI, AIHM
Miss C. Hawkes
Miss W. V. Hole, MA
G. M. Lawton, Esq, MAPHI
Dr. A. E. Martin, MD, DPH
S. Millward, Esq, CSIB, FAPHI, MRSH
A. W. Murphy, Esq, FAI, FVI

* Gave oral as well as written evidence

† Visited by the sub-committee.

Appendix 2: Areas where additional research or study is needed

(1) We are aware that a study of multiple occupation is being carried out in the Ministry. In our view the present statutory overcrowding standard needs review. So also does the relationship between acceptable standards of occupancy and the standards for the structure and amenities of houses with which we have been concerned.

(2) There is considerable scope for further research on the economic as well as on the social criteria affecting the allocation of resources between replacement and improvement of houses. We suggest that the Minister should consider sponsoring further enquiry in this field.

(3) Implementation of those recommendations of the Committee on Positive Covenants Affecting Land which affect repairing obligations may be needed to allow our recommendations on a new repair code to become effective. This subject needs further detailed examination.

(4) Low controlled rents and the present tax structure frequently prevent landlords from maintaining their property effectively or improving it. Further study of means of overcoming these difficulties is needed.

Appendix 3: Sampling methods for use by local authorities in determining the quality of housing

(1) There is an admitted need for more reliable information about housing conditions but it would obviously make unreasonable demands on the time of professional and experienced staff if each local authority were expected to examine and evaluate the condition of every house in their area. Sampling techniques can, however, provide a solution. Their use will produce reasonably accurate data at a much reduced expenditure of time and effort ; indeed the larger the local authority the greater the advantage that can be gained. This Appendix sets out the general basis of the sample survey procedure which we suggest should be used by local authorities to obtain estimates of the numbers of houses and dwellings in their districts which are unfit or below the satisfactory standard. The methods outlined are designed to give adequate information at relatively low cost and with a minimum of complexity. If the Minister accepts our recommendations, he will no doubt issue any more detailed advice that is needed by local authorities on the operation of these methods.

(2) Three essentials for the design of a sample survey are :

(a) *the sample size*—the number of houses or dwellings to be inspected ;

(b) *the sampling frame*—the list of houses, dwellings or other units (e.g. rateable units) representing these from which the sample will be chosen ; and

(c) *the sampling interval*—the interval to be used in selecting the items from the sample frame to arrive at the chosen sample size.

Sample size

(3) The minimum size of sample that would provide a reasonably accurate estimate varies according to the number of dwellings in the district and the proportion which is unfit. However, to make possible the provision of a simple and consistent method for use by local authorities irrespective of their size and varying conditions of housing quality, it is desirable to take *the same size sample for all*

authorities. A sample of about 1,000 houses is considered large enough to give sufficiently accurate information for any local authority, both about unfit dwellings and about those others which are below the proposed satisfactory standard. (This means that those few local authorities whose districts have less than 1,000 houses would need to inspect the entire housing stock). Increasing the size of the sample above this level would involve greater expenditure of time and effort than is likely to be warranted by the increase in accuracy.

Sampling frame

(4) The frame from which the sample is selected should preferably be the local Valuation Lists which are prepared and kept by local Inland Revenue Valuation Offices. These are more consistent in form and contain more information than local authorities' Rating Lists, which are compiled from them and which may vary in make-up from one authority to another. Most local authorities will have a copy of the Valuation List for their own area and should, therefore, be able to use it without difficulty. If the Valuation List is not available, the Rating List is the best alternative frame.

(5) Selection of the sample can be quickly and easily carried out from either list if this is maintained on punch cards or magnetic tapes.

(6) If neither of these lists can conveniently be used, it is possible to use the Electoral Register as the sampling frame. This is not recommended except as a last resort, since the procedure can be complex and professional statistical advice would be needed.

Sampling interval

(7) In order to decide on the interval to be used in selecting the sample, the local authority need an indication of the total number of dwellings in the district. This can most conveniently be obtained from the County Volumes for the 1966 census when they become available. The total number of dwellings (occupied and vacant) for the district is then divided by 1,000 to obtain the sampling interval. Thus if the number of dwellings appearing in the census is 17,650, the initial sampling interval is 17.65.

(8) It will be appreciated that the sampling interval obtained by this procedure will usually produce a number which is a decimal fraction. The first step should be to adjust this interval to a whole number.

(9) A simple method of adjustment for authorities whose districts contain 5,000 or more dwellings is to drop the decimals entirely, although this procedure will always lead to some over-sampling. In the example in paragraph (7) the interval would be 17 and this

would result in the selection of 1,038 units out of 17,650.

(10) To provide a starting point, the number representing one half the obtained interval can conveniently be used. If the interval is an odd number take one half of the preceding even number as the starting point. Thus in the example cited in paragraph (9) above, the starting point should be 8 and the sequence of units to be selected thereafter would be 25, 42, 59, etc. If preferred, the starting point can be chosen from a table of random numbers. Provided the interval is correctly maintained throughout the selection (i.e. the number of units skipped is constant) the sample chosen is equivalent to a random selection from all houses in the area covered.

(11) *Sampling interval for local authority areas with less than 5,000 dwellings.* The simplified method of rounding down the calculated interval can lead to considerable over-sampling for smaller authorities. The recommended procedure for those areas containing less than 5,000 dwellings is, therefore, to round the calculated interval to one decimal place.

Example In a district shown in the 1966 census to have 1,760 dwellings, the calculated interval would be 1.76 which, if rounded down to 1, would result in all 1,760 dwellings being examined. In such a case, therefore, the sampling interval should be rounded to 1.8. In order to make use of this interval, it is necessary to multiply it by 10. Starting with 9 (i.e. $\frac{1}{2}$ of 18, as described in paragraph (10) above), then list each successive 18th number until 1,000 numbers are listed. The final digit for each recorded number is dropped and the resulting numbers represent the units to be selected. This process can easily be carried out on desk adding machines. Thus, if 9 is the starting point, the cumulated numbers are 9, 27, 45, 63, 81, 99 and so on until at least 1,000 numbers are recorded. Dropping the final digit would result in the 2nd, 4th, 6th, 8th, 9th etc. units being selected.

Obtaining the sample

(12) If in practical application the sampling frame used contains more entries than the 1966 census estimate, then the procedure continues until the list is exhausted even though more than 1,000 units will thereby be selected. In the example in paragraph (11), if there were 1,925 entries as "rateable units" then the selection process continues to accumulate 18 to the 1,000th number until a number exceeding 19,250 is reached. By similarly dropping the last digit of each, the numbers identifying the units to be selected are determined.

(13) It must be stressed that 1,000 is only the target which is used for convenience in obtaining the sampling interval. The actual selection will result in somewhat more or less than 1,000, dependent