



Government Circular No.19/05

Department of Local Government and the Environment

HISTORIC BUILDINGS CONSERVATION SCHEME 2005

Approved by Tynwald 14th July 2005

Citation, Commencement and Termination

1. (1) This Scheme may be cited as the Historic Buildings Conservation Scheme 2005 and shall, subject to the approval of Tynwald, come into operation on the 1st August 2005.

(2) This Scheme shall terminate on the 31st March 2006, without prejudice to the payment thereafter of any grant approved prior to that date.

Interpretation

2. (1) In this Scheme -

“the Department” means the Department of Local Government and the Environment;

“approved” means approved by the Department;

“eligible applicant” means a person applying for assistance under this Scheme who is eligible by virtue of paragraph 4 and his successors in title;

“approved contractor” means -

- (a) contractor on the Isle of Man Employers Federation List of Approved Contractors; or
- (b) a Craftsman on the Department of Trade and Industry Register of Craftsmen; or
- (c) such other craftsmen or skilled artisan who may be proposed by an eligible applicant and who is in the opinion of the Department able to illustrate the appropriate level of competence and experience in dealing with work to historic buildings.

“registered building” means a building for the time being entered in the Protected Buildings Register as defined in section 1 (1) of the Town and Country Planning Act 1991

“conservation area” means an area designated under section 12 (1) of the Town and Country Planning Act 1991¹

(2) The Interpretation Act 1976² shall apply to this Scheme as it applies to an Act of Tynwald.

Eligible Premises

3. (1) This Scheme shall apply to buildings:
- (a) which are registered buildings; or
 - (b) which are situated within a conservation area; or
 - (c) which do not fall within (a) or (b), but which were erected before the 31st December 1920 and in which the repair, restoration, and/or upgrading of original or replacement windows and/or doors with windows and/or doors appropriate to the building’s style and its setting, would in the opinion of the Department make an important contribution to an historic townscape or the rural landscape of the Isle of Man.

(2) Unless otherwise determined by the Department this Scheme shall not apply to premises owned by a Department, Local Authority or Statutory Board.

(3) Where such a building in sub-paragraph (1) above is subdivided into separate dwellings the building as a whole, as originally constructed, shall be the eligible premises.

Eligible Applicants

4. (1) The applicant must be the owner of either the freehold in the property or of a leasehold interest in the property of which not less than 7 years remain unexpired.

(2) No monies will be offered to anyone who is in arrears in respect of Income Tax, National Insurance Contributions, Value Added Tax or Local Authority or Water Rates.

Grant Assistance

5. (1) The Department may give to an eligible applicant financial assistance by way of grant towards the cost of approved works carried out by approved contractors on eligible premises, being works set out in Part 1, 2 and 3 of the Schedule to this Scheme in accord with the appropriate category of eligible premises.

¹ 1991 c.14

² 1976 c.20

(2) Grant assistance under this Scheme shall not normally (subject to the discretion of the Department to waive this provision) exceed £20,000 in respect of each eligible premises, but may be for such percentage of the cost of the approved works as the Department thinks fit within the following guidelines:-

- (a) for buildings in category 3 (1) (a) above, up to 60% of the cost of approved works excluding V.A.T.;
- (b) for buildings in category 3 (1) (b) above, up to 50% of the cost of approved works excluding V.A.T.; and
- (c) for buildings in category 3 (1) (c) above, up to 40% of the cost of approved works excluding V.A.T.

(3) An applicant will not normally be required to provide evidence of taxable income where a grant is for a sum which is no more than 20% of the total cost of the approved works (exclusive of V. A. T.) and no more than £5,000. Where an applicant wishes to be considered for a grant the sum of which exceeds 20% of the total cost of the approved works or which is more than £5,000, the Department will normally require an applicant to produce evidence of taxable income for the fiscal year preceding that in which the application is submitted.

(4) Verification of income may be required in connection with an application under the Scheme, by the provision of a certificate (from the Assessor of Income Tax) in a form approved by the Department.

(5) The Department may require the appointment by the applicant of a suitably qualified professional to supervise the execution of the approved works and the grant may include up to 50% of approved professional fees incurred in connection with the approved works, or the investigation of the condition of the property or of any charge pursuant to sub-paragraph (6).

(6) Where the total grant assistance provided by the Department under this Scheme exceeds £5,000, the Department shall make a grant subject to the condition that the property is charged to the Treasury to secure repayment of the grant or such part thereof as the Treasury, in consultation with the Department, determines, in accordance with the following :-

- (a) more than £5,000 but less than £10,000 - 7 years
- (b) more than £10,000 but less than £15,000 - 10 years
- (c) £15,000 or more - 15 years

(7) The total amount of grant repayable in the event of the property being disposed of as above will be based on a sliding scale amortising over the relevant period of the charge.

(8) Any such charge incurred in sub-paragraphs (6) or (7) above shall be in addition to any other such charges incurred to secure repayment of grants under any other scheme.

Applications

6. (1) Applications for grants shall be made in writing in a form approved and provided by the Department.

(2) The applicant shall forward to the Department the completed application form and will provide all such documents, plans and specifications as the Department may require to be submitted in connection with the application. Unless otherwise agreed with the Department, an applicant must submit at least two competitive estimates, for comparable works, from approved contractors.

(3) The applicant shall provide to the Department copies of all Planning Approvals, Registered Building Consents and Building Regulations Approvals as are required to be obtained in respect of the proposed works.

(4) The applicant shall give to the Department such further information as it may reasonably require.

Consideration of Applications

7. (1) The Department shall consider every application and shall inform the applicant whether the application is approved.

(2) The Department shall, if it approves the application, forward to the applicant an approval notice stating the date from which the work may commence.

(3) Any grant shall be subject to any terms or conditions which the Department may in any particular case decide to impose.

(4) The Department in its discretion may refuse any application and any decision of the Department to approve or refuse any application or to impose any terms and conditions upon any approval shall be final.

(5) The approval of the Department of an application shall be conditional upon the correctness of the information supplied therein.

Provisions Relating to the Payment of Grants

8. (1) Before authorising the payment of any grant the Department shall require the applicant to submit to the Department a final account or accounts of the total cost of the approved works in such detail as the Department may in any particular circumstances require.

(2) No grant shall be made in respect of works commenced before the approval of the Department is notified to the applicant unless the Department is

satisfied that there were good reasons for beginning the works before the application was approved.

(3) In order to qualify for a grant, all approved works must be completed within nine months from the date stated in the approval notice or such further period as the Department may in any particular case allow.

(4) The Department may, at its own discretion, carry out any necessary inspections of the property and of any work in progress or completed under the Scheme.

(5) The Department shall have the right to refuse or withhold the grant in any case where, in the opinion of the Department, the work has not been carried out satisfactorily.

(6) The approval or granting of a grant under this Scheme shall not be deemed to imply that approval is granted under any enactment.

(7) The Department may waive any one or more of the requirements contained in this Scheme in any case where it considers it appropriate.

(8) Grants made under this Scheme may be made in addition to grants under any other Scheme.

SCHEDULE

Part 1

Works which may be approved for Grant Assistance for buildings within paragraph 3 (1) (a), (b) and (c)

Repair, restoration and/or upgrading of original or replacement windows and/or doors, or replacement of inappropriate or defective windows and/or doors with windows and/or doors appropriate to the building's style and its setting: to include window/door frames, glazing, ironmongery and fittings;

Part 2

Works which may be approved for Grant Assistance for buildings within paragraph 3(1) (a) and (b)

Works to a building which contribute to an improvement in the townscape or rural landscape (but without prejudice to the generality of the foregoing):

- (1) External painting of a building including masonry, windows, doors, decorative ironwork and boundary walls in colours and finishes approved by the Department and appropriate to the building and its context;
- (2) The replacement of inappropriate or defective external wall coverings or finishes with external wall coverings or finishes (including re-pointing), appropriate to the building and its context;
- (3) The repair and/or renewal of existing appropriate roof structures and/or coverings and/or the replacement of inappropriate or defective roof coverings, with roof coverings appropriate to the building and its context;
- (4) The repair or reinstatement of chimney stacks including the replacement of appropriate chimney pots in a manner appropriate to the building and its context;
- (5) The replacement of external plumbing, leadwork or rainwater goods in character with the building and its context;
- (6) Repair, replacement or reinstatement of external features such as balconies, canopies, bargeboards, finials, shutters, railings, gates, gate posts, external finishes, light fittings, signage, shop fronts or other such features which contribute to the special architectural character or historic interest of a building or area;
- (7) Such other works as may appear to the Department in any particular case to be justified.

Part 3

Additional Works which may be approved for Grant Assistance for buildings in paragraph 3(1) (a) above

- (1) Elimination of various forms of timber decay including wet rot, dry rot and attack from wood boring insects and the replacement of affected structures;
- (2) Structural repairs to the fabric of the building;
- (3) Repairs using natural or traditional materials;
- (4) Restoration of features of historical or architectural interest, both internal and external and within the curtilage of the property.

Made 14th June 2005

John Rimington

Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Scheme)

This Scheme enables the Department of Local Government and the Environment to continue to make grants towards the cost of works involving the repair, restoration and enhancement of properties which are either:-

1. Registered Buildings; or
2. Situated within a Conservation Area;

This Scheme also enables the Department to make grants towards the cost of repair and/or upgrading original or replacement windows and/or doors, or replacement of inappropriate or defective windows and/or doors with windows and/or doors appropriate to the building and its setting, in buildings which are neither Registered Buildings, nor situated in Conservation Areas which were erected before 31st December, 1920 and where such works would, in the opinion of the Department, make an important contribution to an historic townscape or the rural landscape of the Isle of Man.

This Scheme is identical to the Scheme that expired on 30th June 2005 (GC 18/00) and will terminate on 31st March 2006.