



Housing Act 1969

1969 CHAPTER 33

PART II

GENERAL IMPROVEMENT AREAS

28 General improvement areas

- (1) Where a report with respect to a predominantly residential area within the district of a local authority is submitted to them by a person or persons appearing to the authority to be suitably qualified (whether or not that person is or those persons include an officer of the authority) and it appears to the authority, upon consideration of the report and of any other information in their possession, that living conditions in the area ought to be improved by the improvement of the amenities of the area or of dwellings therein or both and that such an improvement may be effected or assisted by the exercise of their powers under this Act, the authority may cause the area to be defined on a map and by resolution declare it to be a general improvement area.
- (2) As soon as may be after passing a resolution declaring an area to be a general improvement area the local authority shall—
 - (a) publish in two or more newspapers circulating in the locality (of which one at least shall, if practicable, be a local newspaper) a notice of the resolution identifying the area and naming a place or places where a copy of the resolution, of the map on which the area is defined and of the report mentioned in subsection (1) of this section may be inspected at all reasonable times ;
 - (b) take such further steps as may appear to them best designed to secure that the resolution is brought to the attention of persons residing in the area or owning property therein and that those persons are informed of the name and address of the person to whom any enquiries and representations concerning any action to be taken in the exercise of the local authority's powers under this Part of this Act should be addressed ; and
 - (c) send to the Minister a copy of the resolution, of the report and of the map and a statement of the number of dwellings in the area.

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29 Mutual exclusion of general improvement areas and clearance areas

- (1) A general improvement area shall not be so defined as to include (but may be so defined as to surround)—
 - (a) any land comprised in an area declared to be a clearance area under Part III of the Act of 1957,
 - (b) any land purchased under section 43(3) of that Act as being land surrounded by or adjoining a clearance area, or
 - (c) any land included in a clearance area in accordance with section 49 of that Act, unless the land has been cleared of buildings.
- (2) Where the Minister on confirming a compulsory purchase order under Schedule 3 to the Act of 1957 or a clearance order under Schedule 5 to that Act modifies the order by excluding from a clearance area any land adjoining a general improvement area, that land shall, unless the Minister otherwise directs, be deemed to be included in the general improvement area.
- (3) A clearance area under Part III of the Act of 1957 shall not be so defined as to include any land which is for the time being included in a general improvement area.

30 Changes with respect to general improvement area

- (1) A local authority may by resolution—
 - (a) exclude from a general improvement area any land for the time being included therein ; or
 - (b) declare an area to be no longer a general improvement area;but such a resolution shall be of no effect unless approved by the Minister.
- (2) Where it appears to a local authority desirable in the interests of the improvement of the amenities of an area which has been declared a general improvement area that any land adjoining the area should be included in the general improvement area, they may by resolution include the land in the general improvement area and cause the general improvement area to be re-defined accordingly.
- (3) As soon as may be after passing a resolution in pursuance of subsection (2) of this section the local authority shall—
 - (a) publish in two or more newspapers circulating in the locality (of which one at least shall, if practicable, be a local newspaper) a notice of the resolution identifying the land included in the area by the resolution and naming a place or places where a copy of the resolution, and of the map on which the general improvement area is re-defined, may be inspected at all reasonable times; and
 - (b) send to the Minister a copy of the resolution and of the map and a statement of the number of dwellings on the land.

31 Duty to publish information

Where a local authority have declared an area to be a general improvement area it shall be their duty to bring to the attention of persons residing in the area or owning property therein the action they propose to take in the exercise of their powers under this Part of this Act and the assistance available for the improvement of the amenities of the area or of the dwellings therein by publishing from time to time, in such manner

as appears to them appropriate, such information as is in their opinion best designed to further the objects of this Part of this Act.

32 General powers exercisable by local authority in general improvement area

- (1) Where a local authority have declared an area to be a general improvement area they may, for the purpose of effecting or assisting any such improvement as is mentioned in section 28(1) of this Act—
 - (a) carry out any works on land owned by them and assist (whether by grants or loans or otherwise) in the carrying out of any works on land not owned by them ;
 - (b) acquire any land by agreement;
 - (c) let or otherwise dispose of any land for the time being owned by them;and may be authorised by the Minister to acquire compulsorily any land within the general improvement area or adjoining that area.
- (2) The Acquisition of Land (Authorisation Procedure) Act 1946 shall apply to a compulsory acquisition of land under this section as if this section had been in force immediately before the commencement of that Act.
- (3) Where a local authority acquire land in pursuance of this section it shall be their duty to secure that any persons who may be displaced from residential accommodation on the land and for whom no suitable accommodation is otherwise available on reasonable terms will be provided with such accommodation before the displacement.
- (4) Section 144 of the Act of 1957 (obligation to rehouse in certain circumstances) shall not apply to any acquisition of land under this section.
- (5) Nothing in this section shall enable a local authority to improve any dwelling which has not been acquired or provided by them in pursuance of this section or to make any grant towards the cost of any works in any case where such a grant might be made under Part I of this Act.

33 Conversion of highway into footpath or bridle-way

- (1) A local authority may, with respect to any such highway in a general improvement area declared by them as is mentioned in subsection (1) of section 92 of the Town and Country Planning Act 1968 (conversion of highway into footpath or bridle-way) exercise the powers of a local planning authority under that section, whether or not they are the local planning authority; but where they are not the local planning authority they shall not make an application under subsection (2) or subsection (8) of that section except with the consent of the local planning authority; and where they are neither the local planning authority nor the highway authority any such application made by them shall in the first place be sent to the highway authority, who shall transmit it to the responsible Minister (within the meaning of that section).
- (2) Where an order under subsection (2) of section 92 of that Act has been made on the application, by virtue of this section, of a local authority who are not the local planning authority.—
 - (a) any compensation under subsection (5) of that section shall be payable by them instead of by the local planning authority; and

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- (b) the local authority may exercise the powers exercisable by them under section 93 of that Act as the competent authority for the purposes of that section without the consent of the local planning authority.

34 Protection against blight

Where, in pursuance of section 31 of this Act, a local authority have published information indicating that they propose to acquire any land in the exercise of their powers under this Part of this Act, sections 139 to 151 of the Town and Country Planning Act 1962 (protection of interests in land affected by planning proposals) shall have effect as if—

- (a) the land were included in that specified in subsection (1) of section 138 of that Act and its description in the definition of " the specified descriptions " in subsection (5) of that section; and
- (b) in section 139(3) of that Act " the relevant date " were defined, in relation to the land, as the date on which the information was first published ;

and section 152 of that Act (no withdrawal of constructive notice to treat) shall have effect accordingly; and section 34 of the Town and Country Planning Act 1968 (power of mortgagee to serve blight notice) shall apply in relation to the land as it applies in relation to land of the description mentioned in subsection (2) of that section.

35 Disposal and appropriation of land

- (1) Where any land for the time being vested in a local authority for the purposes of this Part of this Act—
 - (a) consists of or forms part of an open space; or
 - (b) has been compulsorily acquired under this Part of this Act;
 the local authority shall not dispose of it except with the consent of the Minister.
- (2) Where the disposal of any land vested in a local authority for the purposes of this Part of this Act is not subject to the consent of the Minister in pursuance of subsection (1) of this section they shall not, without his consent, sell, exchange or, subject to subsection (4) of this section, let it for a price, consideration or rent less than the best that can reasonably be obtained, having regard to any restrictions or conditions (including conditions as to payment or the giving of security for payment) subject to which the land is sold, exchanged or let.
- (3) For the purposes of this section land shall be taken to have been acquired by an authority compulsorily if it was acquired by agreement at a time when they were authorised to acquire it compulsorily.
- (4) The consent of the Minister under the preceding provisions of this section may be given either generally to local authorities or to any local authority or class of local authority or in any particular case and may be given either unconditionally or subject to any conditions; and the consent of the Minister under subsection (2) of this section shall not be required to any letting for a term not exceeding seven years.
- (5) Where a local authority acquire any land in pursuance of this Part of this Act they shall comply with such general or special directions as may be given by the Minister as to the exercise of their power to appropriate the land for the purposes of Part V of the Act of 1957 (provision of housing accommodation).

- (6) The power of a local authority under section 32(1)(a) of this Act to carry out works on land owned by them may, with the approval of the Minister given (with or without limitation) either generally or in a particular case, be exercised notwithstanding that they have not appropriated the land for the purposes of this Part of this Act.
- (7) In this section " open space" means any land laid out as a public garden or used for the purposes of public recreation, and any disused burial ground ; and section 29 of the Town and Country Planning Act 1959 (protection of persons deriving title to land under transactions requiring consent) applies to any transaction requiring consent under this section.

36 Standard grants in general improvement area

Where an application for a standard grant under Part I of this Act is made with respect to a dwelling in a general improvement area the local authority shall not be required to approve it but may approve it if they would otherwise be required or authorised to do so.

37 Contributions to local authorities towards expenditure incurred under this Part of this Act

- (1) The Minister may, subject to any directions of the Treasury, pay a contribution to a local authority towards such expenditure incurred by them under this Part of this Act—
- (a) in carrying out works or providing any land ; or
 - (b) in making contributions to any other authority or person towards expenses which might be so incurred by the local authority;
- as he may approve for the purposes of this section on an application by the local authority made, where the expenditure is incurred in carrying out any works, before the works are begun.
- (2) For the purposes of this section—
- (a) the cost of any works shall be taken to be the amount certified by the local authority as appearing to them to be the cost likely to be incurred by them in carrying out those works ; and
 - (b) the cost of any land acquired by a local authority under this Part of this Act shall be taken to be the expenses incurred by the authority in connection with the acquisition, and the cost of any land appropriated by a local authority for the purposes of this Part of this Act shall be taken to be such amount as the Minister may determine.
- (3) A contribution under this section shall be a sum payable annually for a period of twenty years beginning with the financial year in which the relevant works are completed, equal to one-half of the annual loan charges referable to the expenditure approved for the purposes of this section.
- (4) The aggregate of any expenditure approved for the purposes of this section (whether on one or more applications) in respect of any general improvement area shall not exceed the sum arrived at by multiplying £100 by the number of dwellings stated by the local authority under the preceding provisions of this Part of this Act to be in the area or, if it appears to the Minister that there will be an increased number of dwellings in the area, by that increased number; but the Minister may, for the purposes of this subsection—

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- (a) treat two adjoining general improvement areas as one; or
 - (b) treat the addition, in pursuance of section 30 of this Act, of land to a general improvement area as the declaration of a separate general improvement area.
- (5) The Minister may, with the consent of the Treasury, by order substitute another amount for the amount of £100 mentioned in subsection (4) of this section, and a statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.
- (6) For the purposes of this section the relevant works, in relation to any expenditure, are—
- (a) if the expenditure is incurred in carrying out any works, those works; and
 - (b) if the expenditure is incurred in providing any land on which works are to be carried out, those works.
- (7) Where any arrangement made between a local authority and a housing association so provides, any expenditure incurred by the housing association in pursuance of the arrangement which might have been incurred by the local authority under this Part of this Act shall be treated for the purposes of subsection (1) of this section as if it were expenditure so incurred by the local authority; and where any such expenditure is approved by the Minister for the purposes of this section—
- (a) subsection (3) of this section shall have effect, in relation to it, as if in the definition of " annual loan charges " in section 86(5) of this Act the reference to a housing authority were a reference to a housing association; and
 - (b) the local authority shall pay to the housing association by way of annual grant an amount not less than so much of the contribution paid to the local authority under this section as is referable to that expenditure.

38 Effect of contribution under section 37 on Housing Revenue Account

Where any expenditure incurred by a local authority in relation to any houses or other land for the time being vested in them for the purposes of Part V of the Act of 1957 has been approved for the purposes of section 37 of this Act, then, notwithstanding section 50 of the Housing (Financial Provisions) Act 1958, neither the expenditure nor the contribution under section 37 shall be carried to the Housing Revenue Account, except with the consent of the Minister.

39 Local authorities for purposes of Part II

Subject to section 40 of this Act, the local authorities for the purposes of this Part of this Act are the councils of boroughs, urban districts and rural districts and the Common Council of the City of London.

40 Special provisions as to Greater London

- (1) The Greater London Council may exercise the powers of a local authority under sections 28 and 30 of this Act with respect to any area in Greater London, but only with the agreement of any local authority in whose district the area or any part of the area is situated.
- (2) In relation to any house or other land in a general improvement area declared by the Greater London Council—

- (a) the Greater London Council shall be deemed to be a local authority for the purposes of sections 17 to 22 and 74 of this Act and shall be deemed to be the local authority, to the exclusion of any other authority, for the purposes of the provisions of Part I of this Act other than sections 17 to 22, this Part, Part III and section 75 of this Act, and Part II of the Act of 1957; and
- (b) any functions exercisable by the council of a London borough or the Common Council of the City of London under Part IV of the Act of 1957, Part II of the Housing Act 1961, section 19, 20 or 21 of the Housing Act 1964 or Part IV of that Act shall be so exercisable only after consultation with the Greater London Council.

41 Discontinuance of power to declare improvement area

No further area shall be declared an improvement area under section 13 of the Housing Act 1964; and (without prejudice to the power of a local authority to take such action under Part II of that Act as appears to them appropriate with respect to dwellings in an area declared an improvement area before the commencement of this Act) subsection (4) of that section (which imposes an express duty to take action) shall not apply in a general improvement area.

42 Repeal of provisions relating to re-development areas

Sections 55 to 57 of the Act of 1957 (which make provision for the declaration of re-development areas and the purchase of land for purposes of re-development) shall cease to have effect.