



Housing Act 1974

1974 CHAPTER 44

PART VI

PRIORITY NEIGHBOURHOODS

52 Declaration of priority neighbourhoods

- (1) Where a report with respect to an area which consists primarily of housing accommodation and which, in accordance with subsection (2) below, is appropriate to be declared a priority neighbourhood, is submitted to the local authority within whose district the area lies 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, upon consideration of the report and of any other information in their possession, the authority are satisfied that, having regard to—
- (a) the physical state of the housing accommodation in the area as a whole, and
 - (b) social conditions in the area,
- the requirements in subsection (3) below are fulfilled with respect to the area, the authority may cause the area to be defined on a map and by resolution declare it to be a priority neighbourhood.
- (2) For the purposes of this section, an area is appropriate to be declared a priority neighbourhood if, immediately before the declaration, it surrounds, or has a common boundary with,—
- (a) a housing action area other than an area in respect of which the Secretary of State has notified the local authority as mentioned in subsection (2) (c) of section 37 above and has not yet sent a further notification under subsection (4) of that section ; or
 - (b) a general improvement area in respect of which a confirmatory resolution, within the meaning of section 28 of the Housing Act 1969, has been passed.
- (3) The requirements referred to in subsection (1) above are—
- (a) that the living conditions in the area are unsatisfactory;

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- (b) that it is not, at the date of the resolution, practicable for the local authority to declare the area or any part of it to be a housing action area or a general improvement area or to declare as a housing action area or a general improvement area an area which includes any part of the proposed priority neighbourhood; and
 - (c) that it is necessary to secure in the area all or any of the objectives specified in paragraphs (a) to (c) of section 36(2) above and that that need can best be met by declaring the area to be a priority neighbourhood.
- (4) In considering whether to take action under subsection (1) above with respect to any area, a local authority shall have regard to such guidance as may from time to time be given by the Secretary of State, either generally or with respect to a particular authority or description of authority or in any particular case, with regard to the identification of areas suitable to be declared as priority neighbourhoods.
- (5) As soon as may be after passing a resolution declaring an area to be a priority neighbourhood, a local authority shall—
- (a) publish in two or more newspapers circulating in the locality (of which at least one shall, if practicable, be a local newspaper) a notice of the resolution identifying the priority neighbourhood and naming a place or places where a copy of the resolution, of the map on which the neighbourhood is defined and of the report referred to in subsection (1) above 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 or owning property in the priority neighbourhood and that those persons are informed of the name and address of the person to whom any inquiries and representations concerning any action to be taken with respect to the neighbourhood should be addressed ; and
 - (c) send to the Secretary of State a copy of the resolution, the map and a copy of the report mentioned in paragraph (a) above and a statement containing such information as the Secretary of State may for the time being require, either generally or with respect to a particular authority or description of authority or in any particular case, to show the basis on which the local authority satisfied themselves that the area concerned was suitable to be declared a priority neighbourhood, having regard to the matters specified in paragraphs (a) and (b) of subsection (1) above and any relevant guidance given under subsection (4) above.
- (6) As soon as may be after a resolution has been passed declaring an area to be a priority neighbourhood, the resolution shall be registered in the register of local land charges—
- (a) by the proper officer, for the purposes of section 15 of the Land Charges Act 1925, of the local authority in whose area the priority neighbourhood is situated ; and
 - (b) in such manner as may be prescribed by rules under section 19 of that Act.
- (7) Section 37 above shall apply in relation to the declaration of a priority neighbourhood with the substitution—
- (a) for any reference to a housing action area of a reference to a priority neighbourhood ; and
 - (b) for any reference to section 36(4)(c) above of a reference to subsection (5) (c) of this section.

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- (8) In this section " housing accommodation" means dwellings, houses in multiple occupation and hostels.

53 Incorporation into priority neighbourhoods of general improvement areas, housing action areas, or parts thereof

- (1) If a local authority propose, by a resolution under section 52 above, to declare as a priority neighbourhood an area which consists of or includes land which, immediately prior to the declaration, is comprised—
- (a) in a housing action area declared under section 36 above, or
 - (b) in a general improvement area declared under Part II of the Housing Act 1969,
- they shall indicate on the map referred to in section 52 above the land which is so comprised (in this section referred to as " the relevant land ").
- (2) Subject to the following provisions of this section, with effect from the date on which such a resolution as is referred to in subsection (1) above is passed, the relevant land shall be deemed (according to its status) either—
- (a) to have ceased to be a housing action area by virtue of a resolution passed on that date under section 39(3) above or, as the case may be, to have been excluded from the housing action area by virtue of a resolution passed on that date under section 40(1) above; or
 - (b) to have ceased to be a general improvement area or, as the case may be, to have been excluded from the general improvement area by virtue of a resolution under section 30(1) of the Housing Act 1969 passed on that date and approved by the Secretary of State.
- (3) If the Secretary of State notifies the local authority concerned under section 37 above, as that section applies in relation to priority neighbourhoods by virtue of section 52(7) above, that the area declared by them to be a priority neighbourhood is no longer to be such an area, subsection (2) above shall be treated as never having applied in relation to the relevant land.
- (4) If the Secretary of State notifies the local authority concerned under section 37 above, as that section applies in relation to priority neighbourhoods by virtue of section 52(7) above, that any land which—
- (a) is within the area declared by the authority to be a priority neighbourhood, and
 - (b) consists of or includes any of the relevant land,
- is to be excluded from the priority neighbourhood, subsection (2) above shall be treated as never having applied in relation to so much of the relevant land as is comprised in the land so excluded.

54 Application to priority neighbourhoods of certain provisions of Part IV

- (1) Subject to the provisions of this section, the following provisions of Part IV of this Act shall apply in relation to a priority neighbourhood as they apply in relation to a housing action area, namely—
- (a) section 39 (duration of housing action areas);
 - (b) section 40 (reduction of housing action areas);
 - (c) section 42 (duty to inform Secretary of State of action taken) ;
 - (d) section 43 (acquisition of land in housing action areas);

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- (e) section 44 (provision, improvement etc. of housing accommodation by local authorities);
 - (f) section 47 (notification of notices to quit and disposals of housing accommodation etc.); and
 - (g) section 48 (application of certain provisions of Housing Acts).
- (2) In the application, by virtue of subsection (1) above, of the provisions of Part IV of this Act specified in that subsection—
- (a) for any reference in those provisions to a housing action area there shall be substituted a reference to a priority neighbourhood; and
 - (b) any reference in any of those provisions to any other provision of Part IV of this Act shall be construed as a reference to that other provision as it applies in relation to priority neighbourhoods.
- (3) Without prejudice to subsection (2) above, in the application, by virtue of subsection (1) above, of section 39 above—
- (a) for the reference in subsection (1) of that section to section 36(1) above there shall be substituted a reference to section 52(1) above; and
 - (b) for any reference in subsection (2) or subsection (5) of that section to 2 years there shall be substituted a reference to 5 years.
- (4) A local authority may not exercise the power conferred by section 40 above, as applied by virtue of subsection (1) above, in relation to a priority neighbourhood unless the land which would be left in the priority neighbourhood after the exclusion of the land in question—
- (a) would then constitute an area which, having regard to subsection (2) of section 52 above, would be appropriate to be declared a priority neighbourhood; or
 - (b) would then surround or have a common boundary with an area which, immediately before the priority neighbourhood was declared, constituted or formed part of a housing action area or a general improvement area ; or
 - (c) would then consist of or include land which, immediately before the priority neighbourhood was declared, formed part of a housing action area or a general improvement area.
- (5) In the application, by virtue of subsection (1) above, of section 43 above, in subsection (4) of that section for the words " paragraph (a) of subsection (2) of section 53 below " there shall be substituted the words " paragraph (b) of subsection (2) of section 38 above ".

55 Local authorities for the purposes of Part VI

- (1) Subject to subsection (2) below, the local authorities for the purposes of this Part of this Act are the councils of districts and London boroughs and the Common Council of the City of London.
- (2) The Greater London Council may exercise the powers of a local authority under subsections (1) to (4) of section 52 above 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.

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- (3) In relation to, and to any premises in, an area which, in accordance with subsection (2) above, has been declared a priority neighbourhood by the Greater London Council, any reference to a local authority in—
- (a) sections 52(5), 53 and 54 above, or
 - (b) any provision of Part IV of this Act specified in section 52(7) or section 54 above, as that provision has effect by virtue of either of those sections, or
 - (c) the provisions of the Housing Act 1957 applied in relation to priority neighbourhoods by section 48(1) above, as that section has effect by virtue of section 54(1)(g) above,
- shall be construed, except in so far as the context otherwise requires, as a reference to the Greater London Council, to the exclusion of any other council.