



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 1

THE HOMES AND COMMUNITIES AGENCY

CHAPTER 1

GENERAL

Modifications etc. (not altering text)

- C1** Pt. 1 Chs. 1, 2 applied (with modifications) (23.12.2016) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2016 \(S.I. 2016/1267\)](#), arts. 1(2), 8(5)(6), **Sch. 2**
- C2** Pt. 1 Chs. 1, 2 applied (with modifications) (9.2.2017) by [The West of England Combined Authority Order 2017 \(S.I. 2017/126\)](#), arts. 1(3), 21(5), **Sch. 4**
- C3** Pt. 1 Ch. 1 applied (with modifications) (17.3.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(2), 9(3), **Sch. 3 Pt. 1**
- C4** Pt. 1 Chs. 1, 2 applied (with modifications) (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), 11(2), **Sch. 3**
- C5** Pt. 1 Ch. 1 applied (with modifications) (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), arts. 1, 14(5), **Sch. 3** (with art. 28)
- C6** Pt. 1 Chs. 1, 2 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 10(5), **Sch. 2 Pt. 1**
- C7** Pt. 1 Chs. 1, 2 applied (with modifications) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **13(5)**, **Sch. 2 Pts. 1, 2**
- C8** Pt. 1 Ch. 1 applied (with modifications) (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 9(5), **Sch. 2 Pt. 1**
- C9** Pt. 1 Ch. 1, 2 applied (with modifications) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), 10(5), **Sch. 2 Pt. 1**

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1 Establishment and constitution

- (1) There shall be a body corporate known as the Homes and Communities Agency (“the HCA”).
- (2) Schedule 1 (which makes further provision about the HCA) has effect.

Commencement Information
 II S. 1 in force at 8.9.2008 by [S.I. 2008/2358](#), [art. 2\(1\)](#)

2 Objects

- (1) The objects of the HCA are—
 - (a) to improve the supply and quality of housing in England,
 - (b) to secure the regeneration or development of land or infrastructure in England,
 - (c) to support in other ways the creation, regeneration or development of communities in England or their continued well-being, and
 - (d) to contribute to the achievement of sustainable development and good design in England,
 with a view to meeting the needs of people living in England.

^{F1}(1A)

- (2) In subsection (1)—
 - [^{F2}“ England ” does not include Greater London;]
 - “ good design ” includes design which has due regard to the needs of elderly persons and disabled persons,
 - “ needs ” includes future needs,
 and the reference to improving the supply of housing includes a reference to improving the supply of particular kinds of housing.

- (3) In this Part—
 - “ building ” means a building or other structure (including a house-boat or caravan),
 - “ caravan ” has the meaning given by section 29(1) of the Caravan Sites and Control of Development Act 1960 (c. 2),
 - “ housing ” means a building, or part of a building, occupied or intended to be occupied as a dwelling or as more than one dwelling; and includes a hostel which provides temporary residential accommodation,
 - “ infrastructure ” includes—
 - (a) water, electricity, gas, [^{F3}electronic communications], sewerage or other services,
 - (b) roads or other transport facilities,
 - (c) retail or other business facilities,
 - (d) health, educational, employment or training facilities,
 - (e) social, religious or recreational facilities,
 - (f) cremation or burial facilities, and
 - (g) community facilities not falling within paragraphs (a) to (f),

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“ land ” includes housing or other buildings (and see also the definition in Schedule 1 to the Interpretation Act 1978 (c. 30)),

and references to housing include (where the context permits) any yard, garden, outhouses and appurtenances belonging to, or usually enjoyed with, the building or part of building concerned.

- (4) See also sections 19(5) (financial assistance), 44 (local government involvement) and 52 (role of the HCA in relation to certain former functions of the Commission for the New Towns).

Textual Amendments

- F1** S. 2(1A) omitted (1.10.2018) by virtue of [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), **Sch. para. 2** (with Pt. 4)
- F2** Words in s. 2(2) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 189(2)**, 240(2); S.I. 2012/628, art. 6(f) (with arts. 911141517)
- F3** Words in s. 2(3) substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\)](#), s. 118(6), **Sch. 3 para. 51**; S.I. 2017/1286, reg. 2(d)

Commencement Information

- I2** S. 2 in force at 8.9.2008 by [S.I. 2008/2358](#), **art. 2(1)**

3 Principal powers

The HCA may do anything it considers appropriate for the purposes of its objects or for purposes incidental to those purposes.

Commencement Information

- I3** S. 3 in force at 8.9.2008 by [S.I. 2008/2358](#), **art. 2(1)**

4 Powers: general

- (1) This Part contains various specific powers of the HCA.
- (2) The specific powers of the HCA (whether contained in this Part or elsewhere) are to be exercised for the purposes of its objects or for purposes incidental to those purposes.
- (3) Each power may be exercised separately or together with, or as part of, another power.
- (4) Each power does not limit the scope of another power.
- (5) Each power does not limit the scope of the powers conferred by section 3.
- (6) But—
- (a) subsections (2) and (3) do not apply to the HCA in its capacity as a local planning authority by virtue of sections 13 and 14 or in its exercise of other functions by virtue of those sections,
- (aa) ^{F4} and
- (b) the powers conferred by section 3 must not be used to override a restriction imposed on the exercise of a specific power.

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Textual Amendments

- F4** S. 4(6)(aa) omitted (1.10.2018) by virtue of [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), **Sch. para. 3** (with Pt. 4)
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Commencement Information

- I4** S. 4 in force at 8.9.2008 for specified purposes by [S.I. 2008/2358](#), **art. 2(1)**
- I5** S. 4 in force at 1.12.2008 for specified purposes by [S.I. 2008/3068](#), **art. 2(1)(a)** (with arts. 6-13)
- I6** S. 4 in force at 1.4.2010 in so far as not already in force by [S.I. 2010/862](#), **art. 2** (with Sch.)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(6A) inserted by 2023 c. 55 s. 138
- s. 107(2A) inserted by 2023 c. 36 s. 3(2)(c)
- s. 107(4A)(4B) inserted by 2023 c. 36 s. 3(2)(f)
- s. 107(6A) inserted by 2023 c. 36 s. 3(2)(i)
- s. 115(6A) inserted by 2023 c. 36 s. 8(d)
- s. 117(1A) inserted by 2023 c. 36 s. 4(3)
- s. 117(4A) inserted by 2023 c. 36 s. 4(5)
- s. 126A-126D inserted by 2023 c. 36 s. 10(2)
- s. 146(2B) inserted by 2023 c. 36 s. 12(3)(e)
- s. 153(1)(ba) inserted by 2023 c. 36 s. 12(6)(a)
- s. 153(1A) inserted by 2023 c. 36 s. 12(6)(b)
- s. 154(2)(ab) inserted by 2023 c. 36 Sch. 1 para. 18
- s. 161A inserted by 2023 c. 36 s. 18(2)
- s. 163A applied (with modifications by S.I. 2023/1311 reg. 9)
- s. 163A inserted by 2023 c. 36 s. 17(3)
- s. 163B inserted by 2023 c. 36 s. 18(3)
- s. 169CA inserted by 2023 c. 36 s. 19(4)
- s. 169CB-169CD and cross-heading inserted by 2023 c. 36 s. 20(2)
- s. 169ZA inserted by 2023 c. 36 Sch. 5 para. 14
- s. 199(9) inserted by 2023 c. 36 s. 28(2)(c)
- s. 199A-199B inserted by 2023 c. 36 s. 28(3)
- s. 200(4A) inserted by 2023 c. 36 s. 28(4)(d)
- s. 201A inserted by 2023 c. 36 s. 29(2)
- s. 203A inserted by 2023 c. 36 s. 30(4)
- s. 215(1A) inserted by 2023 c. 36 s. 29(3)
- s. 218(2)(e) inserted by 2023 c. 36 Sch. 5 para. 26(b)
- s. 218A-218D and cross-heading inserted by 2023 c. 36 s. 31(2)
- s. 220(11B) inserted by 2023 c. 36 s. 10(3)
- s. 220(11D)(11E) inserted by 2023 c. 36 s. 31(3)
- s. 225A-225H and cross-heading inserted by 2023 c. 36 s. 32
- s. 227(7B) inserted by 2023 c. 36 s. 10(4)
- s. 227(7D)(7E) inserted by 2023 c. 36 s. 31(4)
- s. 237(5)(6) inserted by 2023 c. 36 s. 31(5)
- s. 247(1)(c) and word inserted by 2023 c. 36 s. 31(6)
- s. 247(1)(ab)(ac) inserted by 2023 c. 36 s. 10(5)
- s. 249(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 7(b)
- s. 251(1)(c) and word inserted by 2023 c. 36 s. 31(7)
- s. 251(1)(ab)(ac) inserted by 2023 c. 36 s. 10(6)
- s. 252(2A) inserted by 2023 c. 36 Sch. 3 para. 9(b)
- s. 252A(2)(c)(d) inserted by 2023 c. 36 s. 10(7)(b)
- s. 252A(2)(e) inserted by 2023 c. 36 Sch. 3 para. 10(b)
- s. 252A(2)(f) and word inserted by 2023 c. 36 s. 31(8)
- s. 253(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 11(b)
- s. 255(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 12(b)
- s. 259(3A) inserted by 2023 c. 36 Sch. 3 para. 15(d)
- s. 266(9) inserted by 2023 c. 36 Sch. 3 para. 17(b)
- s. 269(1)(ba)(bb) inserted by 2023 c. 36 Sch. 3 para. 18(c)

– s. 269(1A) inserted by [2023 c. 36 Sch. 3 para. 18\(d\)](#)