



# Housing and Regeneration Act 2008

## 2008 CHAPTER 17

### PART 3

#### OTHER PROVISIONS

### CHAPTER 3

#### HOUSING FINANCE AND OTHER PROVISIONS

##### *Housing Revenue Account subsidy*

#### **313 Exclusions from subsidy arrangements**

- (1) After section 80A of the Local Government and Housing Act 1989 (c. 42) (housing finance: Housing Revenue Account subsidy) insert—

##### **“80B Agreements to exclude certain authorities or property**

- (1) Subsection (2) applies if an agreement is in force between the appropriate person and a local housing authority for sections 79 to 80A not to apply in relation to—
- (a) the authority; or
  - (b) specified property, or specified descriptions of property, of the authority.
- (2) Sections 79 to 80A do not apply in relation to the authority or (as the case may be) property for each year provided for in the agreement.
- (3) Such an agreement may, in particular, contain terms and conditions about—
- (a) the period of years for which sections 79 to 80A are not to apply (whether a fixed or indefinite period);

---

*Status: This is the original version (as it was originally enacted).*

---

- (b) payments to the authority by the appropriate person or by the authority to the appropriate person;
  - (c) the levels of rent for specified property or specified descriptions of property (in the case of an agreement of the kind mentioned in subsection (1)(b));
  - (d) the provision of information;
  - (e) the variation or termination of the agreement (whether on the occurrence of particular events, at the discretion of the appropriate person or otherwise).
- (4) The appropriate person may give directions about supplementary, incidental, consequential or transitional matters relating to the variation or termination of an agreement of the kind mentioned in subsection (1).
- (5) Such directions may not override any provision made on the subject by the agreement unless the directions are given with the consent of the local housing authority concerned.
- (6) The provision made by the directions or the agreement may, in particular, include transitional provision about the terms and conditions on which the authority or (as the case may be) property is to become subject to sections 79 to 80A after the termination of the agreement.
- (7) This section does not restrict the circumstances in which Housing Revenue Account subsidy is otherwise not payable to a local housing authority, or in respect of particular property, by virtue of this Part.
- (8) In this section—
  - “property” means land, houses, dwellings, buildings or property of a kind falling within paragraphs (a) to (f) of section 74(1) (property within the Housing Revenue Account); and includes future property;
  - “specified”, in relation to an agreement, means specified in the agreement.”
- (2) In section 88(1)(aa)(ii) of that Act (construction of Part 6: meaning of “appropriate person”) for “National Assembly for Wales” substitute “Welsh Ministers”.
- (3) In Part 3 of Schedule 4 to that Act (the keeping of the Housing Revenue Account: special cases) in paragraph 2—
  - (a) at the beginning insert “(1)”, and
  - (b) at the end insert—
    - “(2) Sub-paragraph (1) does not apply to a local housing authority in respect of a year if, by virtue of section 80B(2), sections 79 to 80A do not apply in relation to the authority for that year.”