

EXPLANATORY MEMORANDUM TO
THE HOUSING CORPORATION (DISSOLUTION) ORDER 2009

2009 No. 484

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This Order provides for the dissolution of the Housing Corporation. This dissolution is consequential on the coming into force of provisions of the Housing and Regeneration Act 2008 (“the 2008 Act”) related to the establishment of the Homes and Communities Agency and the Regulator of Social Housing. The Order also contains consequential amendments, repeals and revocations, and includes transitory provisions.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 This Order is made under sections 64, 67(4) and 320 of the 2008 Act. The Order dissolves the Housing Corporation and also makes related provisions.

4.2 The provisions of the Order will take effect on 1st April 2009.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

What is being done and why

7.1 Following a housing and regeneration review in 2006¹ the Government decided to create a new national agency for the purpose of meeting the housing and regeneration needs of England and a new regulatory body for social housing in England².

7.2 These new bodies are called the Homes and Communities Agency and the Regulator of Social Housing. With effect from 8th September 2008 both of these bodies came into existence.

7.3 The policy objective is that the Homes and Communities Agency will bring together, in one place, the regeneration functions of English Partnerships, housing investment functions from

¹ <http://www.communities.gov.uk/news/corporate/governmentextendshousing>

² <http://www.communities.gov.uk/news/corporate/pioneeringagency>

the Housing Corporation, and some related work carried out by the Department for Communities and Local Government.

7.4 The Regulator of Social Housing will undertake the regulation of social housing, initially by taking over those functions from the Housing Corporation. The regulatory functions of the Housing Corporation were transferred to the Regulator of Social Housing on 1st December 2008 by the Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008³.

Consultation

7.5 In June 2007 a consultation paper was issued⁴ which sought views on the roles and responsibilities of the new bodies.

8. Consultation outcome

8.1 In January 2008 a response to this consultation exercise was published⁵. There were 187 responses to this consultation exercise and, whilst not every respondent answered every question, the creation of a new agency was generally supported.

9. Guidance

9.1 It is not considered necessary to issue guidance in relation to this instrument.

10. Impact

10.1 The impact on business, charities or voluntary bodies of this instrument is nil.

10.2 The impact on the public sector of this instrument is nil.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 It is considered that no monitoring and review is necessary in relation to this instrument.

13. Contact

Liam Sage at the Department for Communities and Local Government
Tel: 0207 944 4852 or e-mail: liam.sage@communities.gov.uk can answer any queries regarding the instrument.

³ S.I. 2008/2839.

⁴ <http://www.communities.gov.uk/documents/housing/pdf/322429.pdf>

⁵ <http://www.communities.gov.uk/publications/housing/communitiesenglandresponses>