
STATUTORY INSTRUMENTS

1981 No. 156

Housing (Northern Ireland) Order 1981

PART III

DEVELOPMENT FUNCTIONS OF THE EXECUTIVE

CHAPTER IV

HOUSING ACTION AREAS

Declaration of housing action areas

52.—(1) Where a report with respect to an area consisting mainly of housing accommodation is submitted to the Executive by a person or persons appearing to the Executive to be suitably qualified (whether or not that person is or those persons include an officer of the Executive) and, upon consideration of the report and of any other information in its possession, the Executive is 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 requirement in paragraph (2) is fulfilled with respect to the area, the Executive may define the area by reference to a map and, with the consent of the Department, declare it to be a housing action area.

(2) The requirement referred to in paragraph (1) is that the living conditions in the area are unsatisfactory and can most effectively be dealt with within a period of 5 years so as to secure—

- (a) the improvement of the housing accommodation in the area as a whole, and
- (b) the well-being of the persons for the time being residing in the area, and
- (c) the proper and effective management and use of that accommodation,

by declaring the area to be a housing action area.

(3) In considering whether to take action under paragraph (1) the Executive shall have regard to such guidance as may be given by the Department with regard to the identification of areas suitable to be declared as housing action areas.

(4) As soon as may be after declaring an area to be a housing action area, the Executive shall—

- (a) publish in one or more than one newspaper circulating in the locality a notice identifying the area and naming a place where a copy of the declaration, a map on which the area is defined and any report concerning the housing action area may be seen at reasonable times;
- (b) take such further steps as may appear to it best designed to secure that the declaration is brought to the attention of persons residing or owning property in the area and that those persons are informed of the address to which any inquiries and representations should be made concerning any action to be taken with respect to the area; and
- (c) send a copy of the declaration to the district council for the local government district in which the housing action area lies.

Status: Point in time view as at 01/01/2006.

Changes to legislation: Housing (Northern Ireland) Order 1981, CHAPTER IV is up to date with all changes known to be in force on or before 02 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Duration of housing action areas

53.—(1) Where the Executive has declared an area to be a housing action area, then, subject to this Article, the area shall be a housing action area throughout the period of 5 years from the date of the declaration.

(2) If, not less than 3 months before the date on which, apart from any extension or further extension under this paragraph, a housing action area would cease to exist as such an area, the Executive, with the consent of the Department, so declares, the duration of the housing action area shall be extended, subject to paragraph (3), by the addition of a further period of 2 years.

(3) Notwithstanding anything in paragraphs (1) and (2) if the Executive, with the consent of the Department, so declares, an area which it has previously declared to be a housing action area shall cease to be such an area on the date on which the declaration under this paragraph is made.

(4) As soon as may be after making a declaration under paragraph (2) or (3) the Executive shall—

- (a) publish in one or more than one newspaper circulating in the locality a notice of the declaration naming a place where a copy of the declaration may be inspected at all reasonable times;
- (b) take such further steps as may appear to the Executive best designed to secure that the declaration is brought to the attention of persons residing or owning property in the housing action area concerned; and
- (c) send a copy of the declaration to the district council for the local government district in which the housing action area lies.

Reduction of housing action areas

54.—(1) The Executive may at any time, with the consent of the Department, exclude from a housing action area any land for the time being included therein.

(2) As soon as may be after making an exclusion under paragraph (1), the Executive shall—

- (a) publish in one or more than one newspaper circulating in the locality a notice of the exclusion, identifying the housing action area concerned and the land excluded from it;
- (b) take such further steps as may appear to the Executive best designed to secure that the exclusion is brought to the attention of persons residing or owning property in the housing action area; and
- (c) send notice of the exclusion to the district council for the local government district in which the housing action area lies.

Duty to publish information

55. Where the Executive has declared a housing action area, the Executive shall bring to the attention of persons residing or owning property in the area—

- (a) the action which it proposes to take in relation to the housing action area, and
- (b) the assistance available for the improvement of the housing accommodation in the area,

by publishing, in such manner as appears to it appropriate, such information as is in its opinion best designed to further the purpose for which the area was declared a housing action area.

Acquisition of land in housing action areas

56.—(1) Where the Executive has declared a housing action area, it may, in accordance with Article 87, acquire by agreement or compulsorily any land in the area for the purpose of securing or assisting in securing all or any of the objectives specified in Article 52.

(2) If at any time after—

- (a) the Executive has entered into a contract for the acquisition of land falling within paragraph (1), or
- (b) an order vesting any such land has been made,

the housing action area concerned ceases to be such an area or the land concerned is excluded from the area, this Article shall continue to apply as if the land continued to be in a housing action area.

Provision, improvement, etc., of housing accommodation by the Executive

57.—(1) The Executive may, for the purpose of securing, or assisting in securing, all or any of the objectives specified in Article 52 undertake on any land vested in it, which is situated in a housing action area, all or any of the following activities—

- (a) the provision of housing accommodation, by the construction, conversion or improvement of buildings or otherwise;
- (b) the carrying out of works required for the improvement or repair of housing accommodation, including work to the exterior, or on land within the curtilage of buildings containing housing accommodation;
- (c) the demolition of existing buildings;
- (d) the management of housing accommodation; and
- (e) the provision of furniture, fittings or services in or in relation to housing accommodation;

and Article 28 shall apply to the powers exercisable by the Executive under this Article, in connection with the provision of housing accommodation.

(2) The Executive may, with the approval of the Department, make and carry into effect an agreement with any housing association^{F1} registered under Part II of the Housing (Northern Ireland) Order 1992 or other person whereby the association or that person] may act as agent for the Executive in undertaking any of the activities mentioned in paragraph (1).

F1 1992 NI 15

Assistance for carrying out environmental works

58.—(1) For the purpose of effecting or assisting the improvement of living conditions in a housing action area, the Executive may, in accordance with this Article, give assistance towards the carrying out of works (in this Article referred to as “environmental works”)—

- (a) to the exterior, or on land within the curtilage, of buildings containing housing accommodation,^{F2} . . . ; or
- (b) on land not falling within sub-paragraph (a) for the purpose of improving the amenities of the area.

(2) Subject to^{F2} paragraphs (2A) and (3)], assistance under paragraph (1) may be given to any person having an estate in the building or land concerned and shall consist of all or any of the following, namely—

- (a) a grant in respect of expenditure which appears to the Executive to have been properly incurred in the carrying out of environmental works;
- (b) the provision of materials for the carrying out of environmental works; and
- (c) by agreement with the person concerned, the execution of environmental works at his expense, at the expense of the Executive, or partly at his expense and partly at the expense of the Executive.

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[^{F2}(2A) No assistance under paragraph (1) shall be given towards works in respect of which an application for renovation grant or common parts grant under Chapter II of Part III of the Housing (Northern Ireland) Order 2003 has been approved.]

(3) No assistance may be given under paragraph (1) in respect of a building or land in which the Executive has such an estate as would enable the Executive itself to carry out environmental works in relation thereto.

[^{F3}(3A) The Executive may, with the approval of the Department, make and carry into effect an agreement with any housing association registered under Part II of the Housing (Northern Ireland) Order 1992 or other person whereby the association or that person may act as agent for the Executive in giving assistance towards the carrying out of environmental works under paragraph (1).]

(4) A grant under paragraph (2)(a) may be paid after the completion of the works towards the cost of which it is payable or part of it may be paid in instalments as the works progress and the balance after the completion of the works; and where part of any such grant is paid in instalments the aggregate of the instalments paid shall not at any time before the completion of the works exceed one-half of the aggregate cost of the works executed up to that time.

(5) The value of any assistance given by the Executive under paragraph (1) shall not exceed such amount as the Department may, with the consent of the Department of Finance, determine.

F2	2003 NI 2
F3	1992 NI 15

Status:

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