



Housing Act 1996

1996 CHAPTER 52

PART VI

ALLOCATION OF HOUSING ACCOMMODATION

The allocation scheme

167 Allocation in accordance with allocation scheme.

- (1) Every local housing authority shall have a scheme (their “allocation scheme”) for determining priorities, and as to the procedure to be followed, in allocating housing accommodation.

For this purpose “procedure” includes all aspects of the allocation process, including the persons or descriptions of persons by whom decisions are to be taken.

- (2) As regards priorities, the scheme shall be framed so as to secure that reasonable preference is given to—
- (a) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions,
 - (b) people occupying housing accommodation which is temporary or occupied on insecure terms,
 - (c) families with dependent children,
 - (d) households consisting of or including someone who is expecting a child,
 - (e) households consisting of or including someone with a particular need for settled accommodation on medical or welfare grounds, and
 - (f) households whose social or economic circumstances are such that they have difficulty in securing settled accommodation.

The scheme shall also be framed so as to secure that additional preference is given to households within paragraph (e) ^{F1} . . . who cannot reasonably be expected to find settled accommodation for themselves in the foreseeable future.

- (3) The Secretary of State may by regulations—

Status: Point in time view as at 01/11/1997. This version of this provision has been superseded.

Changes to legislation: Housing Act 1996, Section 167 is up to date with all changes known to be in force on or before 23 May 2024. 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)

- (a) specify further descriptions of people to whom preference is to be given as mentioned in subsection (2), or
 - (b) amend or repeal any part of subsection (2).
- (4) The Secretary of State may by regulations specify factors which a local housing authority shall not take into account in allocating housing accommodation.
- (5) As regards the procedure to be followed, the scheme shall be framed in accordance with such principles as the Secretary of State may prescribe by regulations.
- (6) Subject to the above provisions, and to any regulations made under them, the authority may decide on what principles the scheme is to be framed.
- (7) Before adopting an allocation scheme, or making an alteration to their scheme reflecting a major change of policy, a local housing authority shall—
- (a) send a copy of the draft scheme, or proposed alteration, to every registered social landlord with which they have nomination arrangements (see section 159(4)), and
 - (b) afford those persons a reasonable opportunity to comment on the proposals.
- (8) A local housing authority shall not allocate housing accommodation except in accordance with their allocation scheme.

Textual Amendments

F1 Words in [s. 167\(2\)](#) repealed (1.11.1997) by [S.I. 1997/1902](#), [reg. 3](#)

Commencement Information

II [S. 167](#) wholly in force 1.4.1997: [s. 167](#) not in force at Royal Assent, see [s. 232\(1\)-\(3\)](#); [s. 167\(3\)-\(5\)](#) in force at 1.10.1996 by [S.I. 1996/2402](#), [art. 3](#) (with transitional provisions and savings in the [Sch.](#)); [s. 167](#) in force for certain purposes at 23.10.1996 by [S.I. 1996/2658](#), [art. 2](#) and in force at 1.4.1997 to the extent it is not already in force by [S.I. 1996/2959](#), [art. 3](#)

Status:

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