



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);

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- (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.”

Homelessness and allocation of housing

314 Ineligible persons from abroad: statutory disregards

Schedule 15 (which amends Parts 6 and 7 of the Housing Act 1996 (c. 52) in relation to certain ineligible persons from abroad and which makes related provision, including provision for Scotland and Northern Ireland) has effect.

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Commencement Information

- I1** S. 314 in force at 2.3.2009 for specified purposes by S.I. 2009/415, **art. 3**
- I2** S. 314 in force at 2.3.2009 by S.I. 2009/415, **art. 4(a)**
- I3** S. 314 in force at 2.3.2009 for specified purposes by S.I. 2009/415, **art. 2**

315 Armed forces: local connection test

In section 199 of the Housing Act 1996 (local connection test for homelessness and housing allocation purposes: different treatment of armed forces) omit—

- (a) subsection (2),
- (b) in subsection (3), paragraph (a) and the “or” following it,
- (c) subsection (4), and
- (d) in subsection (5), the word “other”.

Commencement Information

- I4** S. 315 in force at 1.12.2008 for specified purposes by S.I. 2008/3068, **art. 4(10)** (with arts. 6-13)
- I5** S. 315 in force at 30.3.2009 for specified purposes for W. by S.I. 2009/773, **art. 2**

Other

VALID FROM 07/09/2009

316 Amendments to Housing Act 1985: lending institutions

In section 622(1) of the Housing Act 1985 (c. 68) (minor definitions: general)—

- (a) in the definition of “authorised deposit taker”, in paragraph (b), for “12(1)” substitute “ 12 ”, and
- (b) in the definition of “authorised insurer”, in paragraph (b), for “12(1)” substitute “ 12 ”.

317 Building regulations: time limit for prosecutions

- (1) Section 35A of the Building Act 1984 (c. 55) (time limit for prosecution for contravention of certain building regulations) is amended as follows.
- (2) In the heading omit “certain”.
- (3) In subsection (1) for “a relevant offence” substitute “ an offence under section 35 above ”.
- (4) Omit subsections (2), (3) and (6).
- (5) Subsections (1) to (4) above do not apply to offences committed before the coming into force of this section.

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Commencement Information

I6 S. 317 in force at 22.9.2008 by S.I. 2008/2358, art. 4(a)

VALID FROM 30/04/2011

318 Protected mobile home sites to include sites for gypsies and travellers

In section 5(1) of the Mobile Homes Act 1983 (c. 34) (interpretation), in the definition of “protected site”, omit the words from “does not include” to “that,”.

319 Financial assistance for certain services about commonhold

- (1) In section 62(1) of the Commonhold and Leasehold Reform Act 2002 (c. 15) (financial assistance for general advice about an aspect of the law of commonhold land so far as relating to residential matters)—
- (a) after “person of” insert “ information, training or ”,
 - (b) for “about an” substitute “about, or a dispute resolution service in connection with—
 - (a) any”, and
 - (c) after “matters” insert “, or
 - (b) any other matter relating to commonhold land and residential matters”.
- (2) In the heading of section 62 of that Act after “advice” insert “ etc. ”.

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