

SCHEDULES

SCHEDULE 1

Amendment of Part 2 of the Act

Chapter 7 (enforcement)

67. After section 250 insert—

“250A Sections 247 and 249: local authorities

(1) This section makes further provision about the application of sections 247 and 249 in a case where the registered provider is a local authority.

(2) The regulator may act under those sections even if the local authority already has a management agreement in place.

(3) But while a section 247 or 249 arrangement is in force, the local authority may not give effect to a management agreement as respects functions of the authority which are the subject of the arrangement.

(4) Any duty the local authority may have to consult with respect to the exercise of its management functions (for example, a duty arising by virtue of section 27BA of the Housing Act 1985) does not apply so far as it is acting pursuant to a requirement imposed on it under section 247 or 249.

(5) A section 247 or 249 arrangement—

(a) is not to be considered a management agreement, but

(b) subsections (13) and (15) of section 27 of the Housing Act 1985 apply to it as they apply to a management agreement.

(6) In this section—

“management agreement” has the meaning given by section 27(2)(a) and 27B(4) of the Housing Act 1985;

“section 247 or 249 arrangement” means an arrangement which is entered into pursuant to a requirement imposed on a local authority under section 247 or 249 and by which functions of the authority are to be exercised by a manager on its behalf.”

Commencement Information

II Sch. 1 para. 67 in force at 1.4.2010, see [art. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010, Paragraph 67.