



# Housing Act 1985

## 1985 CHAPTER 68

### PART VIII

#### AREA IMPROVEMENT

##### *General improvement areas*

#### **253 Declaration of general improvement area.**

- (1) Where a report with respect to a predominantly residential area within their district is submitted to the local housing authority by a person appearing to the authority to be suitably qualified (who may be an officer of the authority), and it appears to the authority, upon consideration of the report and of any other information in their possession—
  - (a) that living conditions in the area can most appropriately be improved by the improvement of the amenities of the area or of dwellings in the area, or both, and
  - (b) that such an improvement may be effected or assisted by the exercise of their powers under the provisions of this Part relating to general improvement areas,the authority may cause the area to be defined on a map and by resolution declare it to be a general improvement area.
- (2) A general improvement area may not be defined so as to include, but may be defined so as to surround, land which is comprised in a housing action area.
- (3) A general improvement area may not (unless the land has been cleared of buildings) be so defined as to include, but may be so defined as to surround—
  - (a) land comprised in a clearance area,
  - (b) land purchased by the local housing authority under section 290(2) (land surrounded by or adjoining clearance area), or
  - (c) land included in a clearance area under section 293(1) (local housing authority's own property);

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and where the Secretary of State on confirming a compulsory purchase order under Schedule 22 (acquisition of land for clearance) modifies the order by excluding from a clearance area land adjoining a general improvement area, the land shall, unless the Secretary of State otherwise directs, be taken to be included in the general improvement area.

## **254 Steps to be taken after declaration.**

- (1) As soon as may be after passing a resolution declaring an area to be a general improvement area the local housing authority shall take the following steps.
- (2) They shall publish in two or more newspapers circulating in the locality (of which one at least shall, if practicable, be a local newspaper) a notice of the resolution—
  - (a) identifying the area, and
  - (b) naming the place where a copy of the resolution, of the map on which the area is defined and of the report mentioned in section 253(1) may be inspected at all reasonable times.
- (3) They shall take such further steps as appear to them best designed to secure—
  - (a) that the resolution is brought to the attention of persons residing or owning property in the area, and
  - (b) that those persons are informed of the name and address of the person to whom enquiries and representations should be addressed concerning action to be taken in the exercise of the authority's powers under the provisions of this Part relating to general improvement areas.
- (4) They shall send to the Secretary of State a copy of the resolution, of the report and of the map and a statement of the number of dwellings in the area.

## **255 General powers of local housing authority.**

- (1) Where a local housing authority have declared an area to be a general improvement area, they may, for the purpose of effecting or assisting the improvement of the amenities of the area, or of the dwellings in the area, or both—
  - (a) carry out works on land owned by them and assist (by grants, loans or otherwise) in the carrying out of works on land not owned by them,
  - (b) acquire any land by agreement, and
  - (c) let or otherwise dispose of land for the time being owned by them;

and may be authorised by the Secretary of State to acquire compulsorily land within the general improvement area or adjoining it.

- (2) The authority may not under this section—
  - (a) improve a dwelling which has not been acquired or provided by them in pursuance of this section,<sup>F1</sup> . . .
  - <sup>F1</sup>(b) . . . . .
- <sup>F2</sup>(3) . . . . .

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#### Textual Amendments

- F1** S. 255(2)(b) and the preceding word “or” repealed (18.7.2003) by S.I. 2002/1860, arts. 1(3), 12, 15, Sch. 4 para. 2(4), **Sch. 6** (with arts. 11(2), 15(2))
- F2** S. 255(3) repealed (18.12.1996) by 1996 c. 53, ss. 103, 147, Sch. 1 para. 8(2), **Sch. 3 Pt. I**; S.I. 1996/2842, **art. 3**

### 256 Power to apply for orders extinguishing right to use vehicles on highway.

- (1) A local housing authority who have declared a general improvement area may exercise the powers of a local planning authority under [<sup>F3</sup>sections 249 and 250 of the Town and Country Planning Act 1990] (extinguishment of right to use vehicles on certain highways) with respect to a highway in that area notwithstanding that they are not the local planning authority, but subject to the following provisions.
- (2) The local housing authority shall not make an application under [<sup>F4</sup>subsection (2) or (6) of section 249] (application to Secretary of State to make or revoke order extinguishing right to use vehicles) except with the consent of the local planning authority.
- (3) If the local housing authority are not also the highway authority, any such application made by them shall in the first place be sent to the highway authority who shall transmit it to the Secretary of State.
- (4) Where an order under [<sup>F5</sup>subsection (2) of section 249] (order extinguishing right to use vehicles) has been made on an application made by a local housing authority by virtue of this section—
- (a) any compensation under [<sup>F5</sup>subsection (1) of section 250] (compensation for loss of access to highway) is payable by them instead of by the local planning authority, and
- (b) ..... <sup>F6</sup>

#### Textual Amendments

- F3** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 71(1)(a)**
- F4** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 71(1)(b)**
- F5** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 71(1)(c)**
- F6** S. 256(4)(b) repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I**

### 257 Duty to publish information.

Where a local housing authority [<sup>F7</sup>have passed a resolution declaring] an area to be a general improvement area, they shall bring to the attention of persons residing in the area or owning property in it—

- (a) the action they propose to take in the exercise of their powers under the provisions of this Part relating to general improvement areas, and
- (b) the [<sup>F7</sup>assistance which is or will be available] for the improvement of the amenities of the area or of the dwellings in the area,

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by publishing from time to time, in such manner as appears to them appropriate, such information as is in their opinion best designed to further the objects of those provisions.

#### Textual Amendments

**F7** Words substituted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. **21(2)(e)**

### 258 Exclusion of land from, or termination of, general improvement area.

- (1) The local housing authority may by resolution—
  - (a) exclude land from a general improvement area, or
  - (b) declare [<sup>F8</sup>that an area shall cease to be] a general improvement area.
- (2) The resolution does not affect the continued operation of the provisions of this Part relating to general improvement areas, or any other provision so relating, in relation to works begun before [<sup>F9</sup>the date on which the exclusion or cessation takes effect]; but [<sup>F9</sup>the resolution] does apply with respect to works which have not been begun before that date, notwithstanding that expenditure in respect of the works has been approved before that date.

#### Textual Amendments

**F8** Words substituted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. **21(2)(f)**

**F9** Words substituted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. **21(2)(g)**

### 259 Contributions by Secretary of State.

- (1) The Secretary of State may pay contributions to a local housing authority towards such expenditure incurred by them under the provisions of this Part relating to general improvement areas as he may determine.

[<sup>F10</sup>(2) In the case of any expenditure, the contribution—

- (a) shall be equal to one-half of the amount of the expenditure; and
- (b) shall be payable in one sum or by two or more instalments, according as the Secretary of State may determine.]

- (3) The aggregate of the expenditure towards which such contributions may be made with respect to a general improvement area shall not exceed the sum arrived at by multiplying—

- (a) [<sup>F11</sup>£600], by
- (b) the number of dwellings stated by the local housing authority under section 254(4) to be in the areaX;

but two adjoining general improvement areas may for this purpose be treated as one.

- (4) The Secretary of State may, with the consent of the Treasury—

- (a) by order substitute in subsections (2) and (3) another fraction for one-half and another amount for £400;
- (b) direct that those subsections shall have effect, in the case of a general improvement area specified in the direction or of a description so specified,

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with the substitution of a higher fraction or a greater amount than that for the time being specified in the subsection.

- (5) An order under subsection (4)(a)—
- (a) may make different provision for different cases or descriptions of case, including different provision for different areas, and
  - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the House of Commons.
- (6) For the purposes of this section—
- (a) the cost of acquiring an estate or interest in a case where periodical payments fall to be made in connection with the acquisition shall be taken to include such sum as the Secretary of State may determine to be the capital equivalent of those payments; and
  - (b) the cost of works shall be taken to include the cost of the employment in connection with the works of an architect, engineer, surveyor, land-agent or other person in an advisory or supervisory capacity.
- (7) In the case of contributions payable in respect of—
- (a) works to which the <sup>M1</sup>Housing Act 1971 applied (works in certain areas completed before 23rd June 1974), or
  - (b) expenditure on providing land treated as expenditure on such works by virtue of section 2(4) of that Act,
- subsection (2)(b) above has effect with the substitution of “75 per cent.” for “one-half”.

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**Textual Amendments**

- F10** S. 259(2) substituted by Local Government and Housing Act 1989 (c. 42, SIF 61), s. 98(6)  
**F11** “£600” substituted by S.I. 1988/1258, art. 2
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**Marginal Citations**

- M1** 1971 c. 76.

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**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81A-81D and cross-heading inserted by [2016 c. 22 Sch. 7 para. 4](#) (This provision is amended by 2021 c. 7, ss. 79(3), 90(6); S.I. 2021/1038, reg. 3(c))
- s. 81B(1)(b) words inserted by [2018 c. 11 s. 1\(3\)](#)
- s. 81B(2A)-(2C) inserted by [2018 c. 11 s. 1\(2\)](#)
- s. 81B(2C) words substituted by [2021 c. 17 s. 79\(3\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 81B by 2016 c. 22, Sch. 7 para. 4 is still prospective)
- s. 81B(2C) words substituted by [2021 c. 17 s. 79\(3\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 81B by 2016 c. 22, Sch. 7 para. 4 is still prospective)
- s. 81B(2D) inserted by [2021 c. 17 s. 79\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 81B by 2016 c. 22, Sch. 7 para. 4 is still prospective)
- s. 82(A1)(A2) inserted by [2016 c. 22 s. 119\(2\)\(a\)](#)
- s. 82A(4A)(4B) inserted by [2016 c. 22 Sch. 7 para. 7\(2\)](#)
- s. 86(1A)(1B) inserted by [2016 c. 22 Sch. 7 para. 10\(3\)](#)
- s. 86(1C) inserted by [2016 c. 22 Sch. 8 para. 2](#)
- s. 86A-86F and cross-headings inserted by [2016 c. 22 Sch. 7 para. 11](#)
- s. 86G s. 86A renumbered as s. 86G by [2016 c. 22 Sch. 8 para. 3\(1\)\(a\)](#)
- s. 86G(8) inserted by [2016 c. 22 Sch. 8 para. 3\(2\)](#)
- s. 88(1)(ba) inserted by [2016 c. 22 Sch. 8 para. 4](#)
- s. 89(2A)-(2D) inserted by [2016 c. 22 Sch. 8 para. 5\(3\)](#)
- s. 97(1A) inserted by [2016 c. 22 Sch. 7 para. 12\(3\)](#)
- s. 99A(1A) inserted by [2016 c. 22 Sch. 7 para. 13\(3\)](#)
- s. 115B115C inserted by [2016 c. 22 Sch. 7 para. 15](#)
- s. 115B115C inserted by [2016 c. 22 Sch. 7 para. 15](#)
- s. 305(1A) inserted by [2023 asc 3 Sch. 13 para. 68\(b\)](#)
- s. 306(1A) inserted by [2023 asc 3 Sch. 13 para. 69\(b\)](#)
- s. 353A inserted by [1996 c. 52 s. 73\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 73 repealed (6.4.2006 for E., 16.6.2006 for W.) by 2004 c. 34, Sch. 16; S.I. 2006/1060, art. 2(1)(e), Sch.; S.I. 2006/1535, art. 2(c), Sch.)
- s. 582(6)(aa)-(ac) substituted for s. 582(6)(a) by [2023 c. 55 Sch. 18 para. 4\(2\)\(b\)](#)
- Sch. 1 para. 1ZA and cross-heading inserted by [2016 c. 22 Sch. 7 para. 17\(2\)](#)
- Sch. 5A para. 3(3)(aa) inserted by [2023 c. 55 Sch. 18 para. 4\(3\)\(b\)\(ii\)](#)
- Sch. 5A para. 3(6A) inserted by [2023 c. 55 Sch. 18 para. 4\(3\)\(d\)](#)