



Housing Act 1985

1985 CHAPTER 68

PART XVII

COMPULSORY PURCHASE AND LAND COMPENSATION

Compulsory purchase

582 Restriction on recovery of possession after making of compulsory purchase order.

- (1) This section applies where a local housing authority have made a compulsory purchase order authorising—
- (a) the acquisition of a house in multiple occupation under—
section 17 (provision of housing),
.....^{F1}
section 300 (purchase of condemned house for temporary housing use), or
 - (b) the acquisition of land under [^{F2}section 93(2) of the Local Government and Housing Act 1989 (land in renewal area)] on which there are premises consisting of or including housing accommodation),
- and within the period specified in subsection (2) proceedings for possession of premises forming part of the house or land in question are brought in the county court against a person who was the lessee of the premises when the order was made, or became the lessee after the order was made, but is no longer the lessee.
- (2) The period referred to in subsection (1) is the period beginning with the making of the compulsory purchase order and ending with—
- (a) the [^{F3}final day of the period of three years beginning with] the date on which the order became operative, or
 - (b) any earlier date on which the Secretary of State notifies the authority that he declines to confirm the order or the order is quashed by a court.
- (3) Where this section applies the court may suspend the execution of any order for possession for such period, and subject to such conditions, as it thinks fit.

Changes to legislation: Housing Act 1985, Section 582 is up to date with all changes known to be in force on or before 23 April 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) View outstanding changes

- (4) The period of suspension ordered by the court shall not extend beyond the end of the period of three years beginning with the date on which the court makes its order or, if earlier, the date on which the compulsory purchase order became operative.
- [^{F4}(6A) If the compulsory purchase order specifies a period longer than three years under section 13D of the Acquisition of Land Act 1981, the references in this section to the period of three years are to be read as references to the period specified in the order.]
- (5) The court may from time to time vary the period of suspension (but not so as to enlarge it beyond the end of the period of three years referred to in subsection (4)), or terminate it, or vary the terms of the order in other respects.
- (6) If at any time—
- (a) the Secretary of State notifies the authority that he declines to confirm the compulsory purchase order, or the order is quashed by a court, or
 - (b) the authority decide, whether before or after the order has been submitted to the Secretary of State for confirmation, not to proceed with it,
- the authority shall notify the person entitled to the benefit of the order for possession and that person shall be entitled, on applying to the court, to obtain an order terminating the period of suspension, but subject to the exercise of the same discretion in fixing the date on which possession is to be given as the court might exercise if it were then making an order for possession for the first time.
- (7) This section does not apply—
- (a) where the person entitled to possession of the premises is the local housing authority;
 - ^{F5}(b)
- [^{F6}(8) In this section “house in multiple occupation” has the meaning given by sections 254 to 259 of the Housing Act 2004 for the purposes of that Act (other than Part 1).]

Textual Amendments

- F1** Words repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), ss. 165(1)(d), 194(4), [Sch. 9 Pt. IV para. 74](#), **Sch. 12 Pt. II**
- F2** Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 194(1), **Sch. 11 para. 85**
- F3** Words in s. 582(2)(a) substituted (31.1.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. **185(4)(a)**, 255(7) (with s. 247); [S.I. 2024/92](#), reg. 2(1) (with reg. 6(1))
- F4** S. 582(6A) inserted (31.1.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. **185(4)(b)**, 255(7) (with s. 247); [S.I. 2024/92](#), reg. 2(1) (with reg. 6(1))
- F5** S. 582(7)(b) omitted (1.7.1991) by virtue of [S.I. 1991/724](#), art. 2(8), [Schedule Part I](#) (with art. 12)
- F6** S. 582(8) substituted (6.4.2006 for E. and 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), ss. 265(1), 270(4)(5), **Sch. 15 para. 29**; [S.I. 2006/1060](#), art. 2(1)(d) (with Sch.); [S.I. 2006/1535](#), art. 2(b) (with Sch.)

Changes to legislation:

Housing Act 1985, Section 582 is up to date with all changes known to be in force on or before 23 April 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.

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Changes and effects yet to be applied to :

- s. 582(2)(b) substituted by [2023 c. 55 Sch. 18 para. 4\(2\)\(a\)](#)
- 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\(3\)\(d\)](#)