

LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009

EXPLANATORY NOTES

COMMENTARY

Part 1: Democracy and Involvement

Background

Chapter 4: Housing

Section 26 – Consultation of bodies representing tenants etc

59. **Section 26** amends the Housing and Regeneration Act 2008.
60. *Subsection (2)* inserts a new section 278A into the Act. The new section provides a power to the Secretary of State to nominate a body representing the interests of social housing tenants for the purposes of consultation in connection with certain functions carried out by the social housing regulator (established by Part 2 of the 2008 Act) and the Secretary of State and set out elsewhere in the Act (and which subsection (1) of the inserted section lists).
61. Subsection (2) of the inserted section requires the Secretary of State to notify the regulator of any such nomination and the withdrawal of any such nomination.
62. *Subsections (3) to (6)* amend those parts of the Act listed in subsection (1) of the inserted section by adding the nominated body to the list of those whom the regulator or Secretary of State must consult before exercising those functions. This means, specifically, the requirement on the regulator to consult on:
 - the criteria for the registration of providers of social housing;
 - the disposal of dwellings by registered providers of social housing;
 - standards etc for registered providers of social housing;
 - guidance to registered providers of social housing.