



Localism Act 2011

2011 CHAPTER 20

PART 8

LONDON

CHAPTER 1

HOUSING AND REGENERATION FUNCTIONS

187 New housing and regeneration functions of the Authority

- (1) Part 7A of the Greater London Authority Act 1999 is amended as follows.
- (2) In the heading to that Part, after “HOUSING” insert “ AND REGENERATION ”.
- (3) Before section 333A insert—

“Functions in relation to land

333ZA Compulsory acquisition of land

- (1) The Authority may acquire land in Greater London compulsorily for the purposes of housing or regeneration.
- (2) The Authority may exercise the power in subsection (1) only if the Secretary of State authorises it to do so.
- (3) The power in subsection (1) includes power to acquire new rights over land.
- (4) Subsection (5) applies where—
 - (a) land forming part of a common, open space or allotment is being acquired under subsection (1), or
 - (b) new rights are being acquired under subsection (1) over land forming part of a common, open space or allotment.

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- (5) The power under subsection (1) includes power to acquire land compulsorily for giving in exchange for that land or those new rights.
- (6) Part 1 of Schedule 2 to the Housing and Regeneration Act 2008 (compulsory acquisition of land by the Homes and Communities Agency) applies in relation to the acquisition of land under subsection (1) as it applies in relation to the acquisition of land under section 9 of that Act.
- (7) In that Part of that Schedule as applied by subsection (6)—
 - (a) references to section 9 of that Act are to be read as references to subsection (1),
 - (b) references to the Homes and Communities Agency are to be read as references to the Authority, and
 - (c) references to Part 1 of that Act are to be read as references to this Part.
- (8) The provisions of Part 1 of the Compulsory Purchase Act 1965 (other than section 31) apply, so far as applicable, to the acquisition by the Authority of land by agreement for the purposes of housing or regeneration.
- (9) In this section—
 - “allotment” means any allotment set out as a fuel allotment, or a field garden allotment, under an Inclosure Act;
 - “common” has the meaning given by section 19(4) of the Acquisition of Land Act 1981;
 - “open space” means any land which is—
 - (a) laid out as a public garden,
 - (b) used for the purposes of public recreation, or
 - (c) a disused burial ground.

333ZB Powers in relation to land held for housing or regeneration purposes

- (1) Schedule 3 to the Housing and Regeneration Act 2008 (powers in relation to land of the Homes and Communities Agency) applies in relation to the Authority and land held by it for the purposes of housing or regeneration as it applies in relation to the Homes and Communities Agency and its land.
- (2) In that Schedule as applied by subsection (1)—
 - (a) references to the Homes and Communities Agency are to be read as references to the Authority, and
 - (b) references to the Homes and Communities Agency's land are to the Authority's land held by it for the purposes of housing or regeneration.
- (3) Schedule 4 to that Act (powers in relation to, and for, statutory undertakers) applies in relation to the Authority and land held by it for the purposes of housing or regeneration as it applies in relation to the Homes and Communities Agency and its land.
- (4) In that Schedule as applied by subsection (3)—
 - (a) references to the Homes and Communities Agency are to be read as references to the Authority,
 - (b) references to the Homes and Communities Agency's land are to the Authority's land held by it for the purposes of housing or regeneration,

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- (c) references to Part 1 of that Act are to be read as references to this Part, and
- (d) references to the functions of the Homes and Communities Agency under Part 1 of that Act are to be read as references to the functions of the Authority relating to housing or regeneration.

333ZC Disposal etc of land held for housing and regeneration purposes

- (1) The Authority may not dispose of land held by it for the purposes of housing or regeneration for less than the best consideration which can reasonably be obtained unless the Secretary of State consents.
- (2) Consent under subsection (1)—
 - (a) may be general or specific;
 - (b) may be given unconditionally or subject to conditions.
- (3) Subsection (1) does not apply to a disposal by way of a short tenancy if the disposal consists of—
 - (a) the grant of a term of not more than 7 years, or
 - (b) the assignment of a term which, at the date of assignment, has not more than 7 years to run.
- (4) A disposal of land by the Authority is not invalid merely because any consent required by subsection (1) has not been given.
- (5) A person dealing with—
 - (a) the Authority, or
 - (b) a person claiming under the Authority,in relation to any land need not be concerned as to whether any consent required by subsection (1) has been given.

333ZD Power to enter and survey land

- (1) Sections 17 and 18 of the Housing and Regeneration Act 2008 (power to enter and survey land) apply in relation to the Authority and land in Greater London as they apply in relation to the Homes and Communities Agency and land outside Greater London.
- (2) In those sections as applied by subsection (1)—
 - (a) references to the Homes and Communities Agency are to be read as references to the Authority,
 - (b) references to land are to land in Greater London, and
 - (c) the reference to a proposal for the Homes and Communities Agency to acquire land is a reference to a proposal for the Authority to acquire land for the purposes of housing or regeneration.

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Social housing

333ZE Social housing

- (1) Subject to subsection (2), sections 31 to 36 of the Housing and Regeneration Act 2008 (social housing functions) apply in relation to the Authority as they apply in relation to the Homes and Communities Agency.
- (2) In those sections as applied by subsection (1)—
 - (a) references to the Homes and Communities Agency are to be read as references to the Authority,
 - (b) the definition of “social housing assistance” in section 32(13) is to be read as if the reference to financial assistance given under section 19 of that Act were to financial assistance given by the Authority,
 - (c) section 34 is to be read as if subsection (1) were omitted, and
 - (d) section 35(1) is to be read as if the reference to section 19 of the Housing and Regeneration Act 2008 were omitted and as if the reference in paragraph (b) to a dwelling in England outside Greater London were to a dwelling in Greater London.
- (3) Sums received by the Authority in respect of repayments of grants made by it for the purposes of social housing are to be used by it for those purposes.

333ZF Relationship with the Regulator of Social Housing: general

- (1) The Authority must, in the exercise of its housing and regeneration functions, co-operate with the Regulator of Social Housing (referred to in this Part as “the Regulator”).
- (2) In particular, the Authority must consult the Regulator on matters likely to interest the Regulator in the exercise of its social housing functions.
- (3) The Regulator must, in the exercise of its social housing functions, co-operate with the Authority.
- (4) In particular, the Regulator must consult the Authority on matters likely to interest the Authority in the exercise of its housing and regeneration functions.

333ZG Relationship with the Regulator of Social Housing: directions

- (1) The Regulator may direct the Authority not to give financial assistance in connection with social housing to a specified registered provider of social housing.
- (2) A direction may be given if—
 - (a) the Regulator has decided to hold an inquiry into affairs of the registered provider of social housing under section 206 of the Housing and Regeneration Act 2008 (and the inquiry is not concluded),
 - (b) the Regulator has received notice in respect of the registered provider of social housing under section 145 of that Act, or

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- (c) the Regulator has appointed an officer of the registered provider of social housing under section 269 of that Act (and the person appointed has not vacated office).
- (3) A direction may prohibit the Authority from giving assistance of a specified kind (whether or not in pursuance of a decision already taken and communicated to the registered provider of social housing).
 - (4) A direction may not prohibit grants to a registered provider of social housing in respect of discounts given by the provider on disposals of dwellings to tenants.
 - (5) A direction has effect until withdrawn.
 - (6) In this section the following terms have the same meaning as in Part 2 of the Housing and Regeneration Act 2008—
 - “disposal” (see section 273 of that Act);
 - “dwelling” (see section 275 of that Act);
 - “tenant” (see section 275 of that Act).

333ZH Relationship with the Regulator of Social Housing: further provisions

- (1) Subsection (2) applies if the Authority is proposing to give financial assistance on condition that the recipient provides low cost home ownership accommodation.
- (2) The Authority must consult the Regulator about the proposals.
- (3) The Authority must notify the Regulator at least 14 days before exercising, in relation to a registered provider of social housing, any of the powers conferred by section 32(2) to (4) of the Housing and Regeneration Act 2008 (recovery etc of social housing assistance).
- (4) The Authority must consult the Regulator before making a general determination under section 32 or 33 of the Housing and Regeneration Act 2008.
- (5) For the purposes of this section a person provides low cost home ownership accommodation if (and only if) the person acquires, constructs or converts any housing or other land for use as low cost home ownership accommodation or ensures such acquisition, construction or conversion by another.
- (6) In this section “low cost home ownership accommodation” has the meaning given by section 70 of the Housing and Regeneration Act 2008.

Exercise of functions in relation to certain property etc

333ZI Exercise of functions by the Authority in relation to certain property etc

- (1) The Authority may do in relation to any property, rights or liabilities, or any undertaking, to which this section applies anything that the Commission for the New Towns or (as the case may be) an urban development corporation could do in relation to the property, rights or liabilities or the undertaking.
- (2) This section applies to—

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- (a) any property, rights or liabilities that—
 - (i) have been or are to be transferred to the Authority from the Homes and Communities Agency by virtue of section 190 of the Localism Act 2011, and
 - (ii) were transferred to the Homes and Communities Agency from the Commission for the New Towns by virtue of section 51 of and Schedule 6 to the Housing and Regeneration Act 2008,
 - (b) an undertaking, or part of an undertaking, of an urban development corporation that has been or is to be transferred to the Authority by virtue of an agreement under section 165 of the Local Government, Planning and Land Act 1980,
 - (c) any property, rights or liabilities of an urban development corporation that have been or are to be transferred to the Authority by virtue of an order under section 165B of the Local Government, Planning and Land Act 1980, and
 - (d) any property, rights or liabilities that—
 - (i) have been or are to be transferred to the Authority from the Homes and Communities Agency by virtue of section 190 of the Localism Act 2011, and
 - (ii) were transferred to the Homes and Communities Agency from an urban development corporation by virtue of an order under section 165B of the Local Government, Planning and Land Act 1980.
- (3) In any enactment (whenever passed or made) references to the Authority's new towns and urban development functions are to its functions in relation to any property, rights or liabilities, or any undertaking, to which this section applies (whether exercisable by virtue of this section or otherwise).
- (4) In subsection (3) “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978).

Grants for housing and regeneration purposes

333ZJ Grants to the Authority for housing and regeneration purposes

- (1) The Secretary of State may pay to the Authority grants of such amounts as the Secretary of State may, with the Treasury's consent, determine in respect of the exercise of the Authority's functions relating to housing and regeneration.
- (2) A grant under this section may be paid at such times, or in such instalments at such times, as the Secretary of State may, with the Treasury's consent, determine.
- (3) A grant under this section may be made subject to such conditions as the Secretary of State may determine.
- (4) Conditions under subsection (3) may, in particular, include—
 - (a) provision as to the use of the grant;
 - (b) provision as to the use of any funds generated by activities funded by the grant;

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- (c) provision as to the circumstances in which the whole or part of the grant must be repaid.”
- (4) After section 333D insert—

“Interpretation

333E Interpretation of Part 7A

In this Part—

“building” means a building or other structure (including a house-boat or caravan);

“caravan” has the meaning given by section 29(1) of the Caravan Sites and Control of Development Act 1960;

“housing” means a building, or part of a building, occupied or intended to be occupied as a dwelling or as more than one dwelling; and includes a hostel which provides temporary residential accommodation;

“land” includes housing or other buildings (and see also the definition in Schedule 1 to the Interpretation Act 1978);

“the Regulator” has the meaning given by section 333ZF(1);

“social housing” (except as part of the expression “social housing functions”) has the same meaning as in Part 2 of the Housing and Regeneration Act 2008 (see section 68 of that Act).”

Commencement Information

- I1** S. 187(1)(2) in force at 15.1.2012 by S.I. 2012/57, **art. 4(1)(v)** (with arts. 6, 7, arts. 9-11)
- I2** S. 187(3)(4) in force at 15.1.2012 for specified purposes by S.I. 2012/57, **art. 4(1)(w)** (with arts. 6, 7, arts. 9-11)
- I3** S. 187(3)(4) in force at 1.4.2012 in so far as not already in force by S.I. 2012/628, **art. 6(e)** (with arts. 9, 11, 14, 15, 17)

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

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

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)