



Local Government and Housing Act 1989

1989 CHAPTER 42

PART VI

HOUSING FINANCE

Housing subsidies

80 Calculation of Housing Revenue Account subsidy.

[^{F1}(1) The amount of Housing Revenue Account subsidy (if any) payable to a local housing authority [^{F2}in Wales] for a year shall be calculated in such manner as the [^{F3}Welsh Ministers] may from time to time determine.

(1A) A determination under subsection (1) above may (in particular)—

- (a) provide for all or part of the amount to be calculated in accordance with a formula or formulae;
- (b) provide for the amount, or part of the amount, to be calculated by reference to—
 - (i) whether any Housing Revenue Account business plan that the authority are required to prepare by any time has been supplied to the [^{F4}Welsh Ministers] or has been supplied to the [^{F4}Welsh Ministers] by that time;
 - (ii) the [^{F5}Welsh Ministers'] assessment of any Housing Revenue Account business plan prepared by the authority and supplied to the [^{F6}Welsh Ministers];
 - (iii) whether conditions are met that relate to, or to the authority's conduct of, the authority's finances or any aspect of those finances;
 - (iv) an assessment of the state of, or of the authority's conduct of, the authority's finances or any aspect of those finances;
 - (v) whether conditions are met that relate to housing provided by the authority, to housing functions of the authority or to the authority's performance in exercising such functions;
 - (vi) an assessment of, or of the state of, housing provided by the authority;

Status: Point in time view as at 01/04/2018. This version of this provision has been superseded.

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- (vii) an assessment of the authority’s performance in exercising functions in relation to housing provided by the authority or in otherwise exercising housing functions;
- (viii) whether, as respects housing provided by the authority, management functions exercisable in relation to that housing have been entrusted to a company;
- (ix) whether, where such functions have been entrusted to a company, conditions are met that relate to the performance of the company in exercising the functions;
- (x) an assessment, where such functions have been entrusted to a company, of the performance of the company in exercising those functions;
- (xi) assumptions as to any matter;
- (c) have the effect that the amount, or part of the amount, is nil or a negative amount;
- (d) make different provision for different parts of the amount.]

^{F7}(2)

- (3) In determining a formula for the purposes of this section for any year, [^{F8}the [^{F9}Welsh Ministers] may (in particular)] include variables framed (in whatever way [^{F10}they consider] appropriate) by reference to—
 - (a) any amounts which fall to be or were credited or debited to the authority’s Housing Revenue Account for that year or any previous year;
 - (b) any amounts which, on such assumptions as the [^{F11}Welsh Ministers] may determine (whether or not borne out or likely to be borne out by events), would fall to be or would have been so credited or debited; and
 - (c) such other matters relating to the authority, or to (or to tenants of) houses and other property which are or have been within the account, as [^{F12}the Welsh Ministers think] fit;

^{F13} ...

- (4) Without prejudice to the generality of subsection (3) above, a formula may require it to be assumed that the amount for any year of the rental income or housing expenditure of each authority [^{F14}in Wales] is to be determined—
 - (a) by taking the amount which the [^{F15}Welsh Ministers consider] (having regard, amongst other things, to past and expected movements in incomes, costs and prices) should be or should have been the aggregate amount for that year of the rental incomes or, as the case may be, the housing expenditure of all of the authorities [^{F16}in Wales] taken together; and
 - (b) by apportioning that amount between [^{F17}the authorities] in such manner as the [^{F18}Welsh Ministers consider] appropriate (which may involve, if [^{F19}the Welsh Ministers think] fit, inferring the aggregate values of the houses and other property within [^{F20}the authorities’] respective Housing Revenue Accounts from the average values of any of the houses and other property which [^{F21}the authorities] have disposed of);

and in this subsection “rental income” means income falling within item 1 of Part I of Schedule 4 to this Act and “housing expenditure” means expenditure falling within item 1 of Part II of that Schedule or falling to be debited to the authorities’ Housing Repairs Accounts.

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[^{F22}(5) Nothing in subsections (1A) to (4) above is to be taken as limiting the [^{F23}Welsh Ministers'] discretion under subsection (1) above.

(6) The [^{F24}Welsh Ministers] may make a determination under subsection (1) above, or a calculation under such a determination, on the basis of information received by [^{F25}them] on or before such date as [^{F26}they think] fit.]

Textual Amendments

- F1** S. 80(1)(1A) substituted for s. 80(1) (18.11.2003 for E. and 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004) by Local Government Act 2003 (c. 26), ss. **89(2)**, 128(6); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F2** Words in s. 80(1) inserted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(2)(a)**; S.I. 2013/797, art. 3
- F3** Words in s. 80(1) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(2)(b)**; S.I. 2013/797, art. 3
- F4** Words in s. 80(1A)(b)(i) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(3)(a)**; S.I. 2013/797, art. 3
- F5** Words in s. 80(1A)(b)(ii) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(3)(b)(i)**; S.I. 2013/797, art. 3
- F6** Words in s. 80(1A)(b)(ii) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(3)(b)(ii)**; S.I. 2013/797, art. 3
- F7** S. 80(2) repealed (27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004, and 1.4.2004 for E.) by Local Government Act 2003 (c. 26), ss. 90(2), 128(6), **Sch. 8 Pt. 1**; S.I. 2003/2938, art. 7(a)(e)(iii) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F8** Words in s. 80(3) substituted (18.11.2003 for E. and 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004) by Local Government Act 2003 (c. 26), ss. **89(3)(a)**, 128(6); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F9** Words in s. 80(3) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(4)(a)**; S.I. 2013/797, art. 3
- F10** Words in s. 80(3) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(4)(b)**; S.I. 2013/797, art. 3
- F11** Words in s. 80(3)(b) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(4)(c)**; S.I. 2013/797, art. 3
- F12** Words in s. 80(3)(c) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(4)(d)**; S.I. 2013/797, art. 3
- F13** Words in s. 80(3) repealed (18.11.2003 for E. and 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004) by Local Government Act 2003 (c. 26), ss. 89(3)(b), 128(6), **Sch. 8 Pt. 1**; S.I. 2003/2938, art. 3(a)(i)(iii) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F14** Words in s. 80(4) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(a)**; S.I. 2013/797, art. 3
- F15** Words in s. 80(4)(a) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(b)(i)**; S.I. 2013/797, art. 3
- F16** Words in s. 80(4)(a) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(b)(ii)**; S.I. 2013/797, art. 3
- F17** Words in s. 80(4)(b) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(c)(i)**; S.I. 2013/797, art. 3
- F18** Words in s. 80(4)(b) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(c)(ii)**; S.I. 2013/797, art. 3
- F19** Words in s. 80(4)(b) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(c)(iii)**; S.I. 2013/797, art. 3

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- F20** Words in s. 80(4)(b) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(c)(iv)**; S.I. 2013/797, art. 3
- F21** Words in s. 80(4)(b) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(5)(c)(v)**; S.I. 2013/797, art. 3
- F22** S. 80(5)(6) inserted (18.11.2003 for E. and 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004) by Local Government Act 2003 (c. 26), **ss. 89(5), 128(6)**; S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F23** Words in s. 80(5) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(6)**; S.I. 2013/797, art. 3
- F24** Words in s. 80(6) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(7)(a)**; S.I. 2013/797, art. 3
- F25** Word in s. 80(6) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(7)(b)**; S.I. 2013/797, art. 3
- F26** Words in s. 80(6) substituted (1.10.2013) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 15 para. 3(7)(c)**; S.I. 2013/797, art. 3

Modifications etc. (not altering text)

- C1** S. 80: power to restrict conferred (1.12.1998) by 1998 c. 38, s. 22(5), **Sch. 3 Pt. II para. 8** (with ss. 139(2), 143(2)); S.I. 1998/2789, **art. 2**

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